

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1986 of 2016

1. Ashish, aged about 27 years, S/o. Ganesh Prasad Kanjar, R/o. Devendranagar, Police Station and Tahsil – Devendranagar, Civil and Revenue District-Panna (M.P.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station – Janakpur, District – Koriya (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Yogendra Chaturvedi, Advocate
For Respondent/State	: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21/06/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.41/2014, registered at Police Station – Janakpur, District – Koriya (C.G.) for the offence punishable under Section 363, 368, 376(2)(g), 342, 373, 34 of Indian Penal Code and Section 4, 6 of Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that a report was made by one Ramdayal Singh, father of the victim that the applicant took away the prosecutrix from the lawful guardianship of her mother and father and was sold to one Omvati and during such transit, the victim was made to stay in the house of the applicant, and the applicant has committed forceful intercourse with the prosecutrix.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he has not committed any offence.

He further submits that the applicant is in jail since 28.05.2014 and the prosecutrix has been examined, therefore, the counsel prays that, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the statement of the prosecutrix, which is attached with the bail application. Considering such statement without any observation on merits, this Court is not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge