

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7726 of 2015**

- Bal Krishna @ Golu, S/o Shri Bhaiya Lal Pandey, Aged about 19 years, R/o Village Sakola, Chowki Kotmi, P.S. Pendra, Tahsil Pendra, Civil & Revenue Distt. Bilaspur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through- Police Station Pendra, Distt. Bilaspur (C.G.)

--- Non-applicant

For Applicant: Mr. Dheerendra Pandey, Advocate.
 For Non-applicant/State: Mr. Dhiraj Kumar Wankhede, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****01/02/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 203/2015 registered at Police Station Pendra, District Bilaspur for the offences punishable under Sections 363, 366, 456 & 342 of the Indian Penal Code & Section 12 of Protection of Children from Sexual Offences Act, 2012.

(2) Case of the prosecution, in brief, is that on 30.9.2015 applicant abducted the minor complainant/victim to compel her to marry with him against her will and thereby committed the aforesaid offences.

(3) Counsel for the applicant submit that the applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that earlier also, the prosecutrix has falsely implicated the applicant, which is subject matter of Crime No.207/2014 for offence punishable under Sections 363 & 366 of the IPC, in which bail was granted by this Court and, as such, the applicant is entitled to be released on bail.

(4) On the other hand, Counsel for the State opposes the bail application and submits that applicant abducted the victim/complainant, minor girl, and wrongfully confined her; and the applicant has criminal antecedents of the similar offences with the prosecutrix, which is subject matter of Crime No. 207/2014 and, therefore, he is not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case; looking to the nature & gravity of the offence; age of the complainant/victim, who is said to be the minor on the date of offence; and the applicant has criminal antecedents of the similar offences with the prosecutrix, which is subject matter of Crime No. 207/2014; I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-