

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2367 of 2016

- Dinesh Kumar S/o Dilsaya Aged About 22 Years By Caste Turiya, R/o Chittajhore Pondi, Thana Pondi, Tahsil Baikunthpur, Distt. Koriya Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Police Station Pondi, Distt. Koriya Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Parag Kotecha, Advocate
For the Respondent	:	Mr. Omprakash Sahu, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.07.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 184/2015 registered at P.S. Pondi, Distt. Koriya Baikunthpur (C.G) for the offence punishable under Section 363, 366, 376 (2)(n) of IPC and Sections 4, 5, 6, 9 and 10 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, on 14.12.2015 a report was made by the mother of prosecutrix that her minor daughter went missing. Thereafter the prosecutrix was recovered from the possession of the present applicant by the Police and on investigation, it was found that the prosecutrix is a minor girl who was subjected to sexual intercourse thereby the offence is committed.
3. Learned counsel for the applicant submits that the prosecutrix and the applicant were in love relations and therefore, she of her own went along-with the boy and

therefore, no offence is made out.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of the prosecutrix. Considering the statement of prosecutrix, I am not inclined to allow this bail application, at this stage. Accordingly, it is rejected.

Sd/-
GOUTAM BHADURI
JUDGE

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