

HIGH COURT OF CHHATTISGARH, BIL

Order Sheet

MCRC No. 7373 of 2015

- Santosh Kesharwani S/o Sidar Singh Kesharwani Aged About 53 Years Director Prince Lodge, In Front of Nagar Palika Chowk, Sarangarh, Distt. Raigarh, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, P.S. Ganj, Raipur, Distt. Raipur, Chhattisgarh. --- **Respondent**

05.01.2016	Mr. Aman Kesarwani, counsel for the applicant. Mr. Anil S. Pandey, Govt. Advocate, for the State. This is an application filed u/s 439 of the Code of Criminal Procedure for grant of bail to the applicant in connection with Crime No.130 of 2015 registered at P.S. Ganj, Raipur, District Raipur (C.G), for the offence punishable u/s 342, 370(A)(1), 373 read with Section 34 of IPC and Sections 6 & 17 of the Protection of Children from Sexual offences Act, 2012. As per the prosecution, the present applicant along-with other co-accused has obtained the possession of minor prosecutrix and she was subjected to sexual harassment. As per the prosecution, the victim was initially allured by some other co-accused and she was sexually exploited by them and subsequently she was sold to this applicant who is owner of the Prince Lodge. Learned counsel for the applicant submits that the applicant has been falsely implicated and he has	

Rao	only given shelter to the victim, therefore, no substantive allegations can be attributed to him. Per contra, learned State Counsel opposes the prayer for grant of bail. Perused the statement of the victim. Apparently, she is minor girl. Considering the statements of the victim u/s 164 and 161 Cr.P.C., and considering the role played by this applicant, I am not inclined to allow this bail petition. Accordingly, it is rejected. Sd/- GOUTAM BHADURI JUDGE	
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