

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.104 of 2016

Suresh Kumar @ Jaisurya S/o Shri Naharuram Dhruv aged about 20 years, R/o Village Koknajhar, Police Station Bheamkhoj, Distt.Raipur, Civil and Revenue District Raipur (CG)

---Applicant

Versus

State of Chhattisgarh, Through Police Station Bheamkhoj, District Mahasamund (CG)

---Non-applicant

For Applicant	:	Mr. Ajay Mishra, Advocate
For Non-applicant	:	Mr.Ajit Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

08/02/2016

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.176/2015, registered at Police Station-Bheamkhoj, District-Mahasamund (C.G.), for the offence punishable under Sections 363, 366 & 376 (2) (n) of the IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that on 19.8.2015 the applicant abducted/kidnapped the minor prosecutrix and thereafter committed forcible sexual intercourse with her.

3. Learned counsel for the applicant would submit the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant is in jail

since 27.8.2015 and charge-sheet has already been filed and therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence and age of the prosecutrix, who is said to be minor on the date of commission of offence, I am not inclined to release the applicant on regular bail. Consequently, the bail application filed on behalf of the applicant is rejected.

7. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-