

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5135 of 2016

- Vishwanath Soni S/o Ram Dayal Prasad Soni Aged About 55 Years R/o Village Mayapur, Ambikapur, Civil & Revenue District Sarguja, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Ambikapur, Civil & Revenue District Sarguja, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. J. R. Verma, Advocate
For the Respondent	:	Mr. Neeraj Jain, Govt. Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05.09.2016

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. 720 of 2015 registered at P.S. Ambikapur, Distt. Sarguja (C.G) for the offence punishable under Sections 376(2)(n), 376(2)(f), 376(2)(i), 323, 506-B of IPC and section 5(l)/4, 5(m), 6, 5(n)/6 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, the applicant who is step father of the victim used to commit sexual assault and unnatural sex on the girl aged about 11 years which was revealed to the officer of child line school and Subsequently the report was made.
3. Learned counsel for the applicant would submit that the applicant that the incident has been stated to be of 15.12.2015 and the report is delayed by 1 year & 11 months and no reason has been shown for such delay and false allegations have been attributed to this applicant. Therefore,

he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the statements of girl u/ss 161 & 164 Cr.P.C., as also the statements of mother and few of the other people. Taking into such statements and the age of the girl, I am not inclined to release the applicant on bail. Accordingly, this bail application is rejected.

Sd/-
GOUTAM BHADURI
JUDGE

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