

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6456 of 2016

Hamid Khan S/o Munna Khan Aged About 22 Years R/o - Behind
Hardware Line Supela Bhilai, Tehsil & District Durg Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Officer, Police
Station Supela, District - Durg Chhattisgarh

---- Respondent

For Applicant	:	Mr. Sanjay Kumar Agrawal, Advocate
For State/Respondent	:	Mr. D.R. Minj, Dy. G.A.

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

24/10/2016

Heard.

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.507/2016 (as per charge-sheet) registered at Police Station Supela, District Durg for the offence punishable under Sections 342,363, 366, 323 of the IPC and Sections 11(1) and 12 of the Protection of Children from Sexual Offences Act, 2012. The applicant has been arrested on 06.06.2016.
2. Case of the prosecution is that the prosecutrix a minor was confined in a room, she was beaten up and compelled to marry the accused applicant.
3. Learned counsel for the applicant submits that present is a case of consent because in her statement, she has stated that she has gone to meet the applicant under a bridge on a call given by the accused applicant and thereafter prosecutrix had gone along with the applicant voluntarily in a vehicle. Therefore, the allegations are false and frivolous and that the investigation is complete and the charge-sheet has been filed, the

applicant may be granted bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, and submits that according to the prosecutrix's statement under Section 161 of Cr.P.C., the prosecutrix was confined in a room for two days, she was beaten up and she being compelled to marry the applicant.

5. Considering the allegations against the applicant, I am not inclined to grant bail. Therefore, the bail application is rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge