

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6063 of 2016

- Dinesh Uraon S/o Pradeep Uraon Aged About 26 Years R/o Village Baskipi, Police Station Chando, District- Balrampur, Chhattisgarh.

---- Petitioner

Versus

- State of Chhattisgarh through S.H.O Rajpur, District- Balrampur, Chhattisgarh.

--- Respondent

For the applicant	:	Mr. Sunil Tripathi, Advocate
For the Respondent	:	Mr. Anupam Dubey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.10.2016

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. 180/2015 registered at P.S. Rajpur, Distt. Balrampur (C.G) for the offence punishable under Sections 363, 366, 376(2)(dha) of IPC and Sections 5 & 6 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, a report was made by one Suresh Ekka who is maternal uncle of the minor girl that she is found missing. Subsequently the girl was recovered on 24.11.2015 at ring road, Ambikapur and on investigation it was revealed that the present applicant allured and enticed her away from the lawful guardianship of her parents on the allurements of marriage and thereafter has committed forcible sexual intercourse, thereby the offence is committed.
3. Learned counsel for the applicant submits that the victim and applicant were in love relations; she was aged about 17

years and she herself went along-with the applicant, therefore, no offence is committed.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of the girl recorded u/ss 161 & 164 Cr.P.C. Considering such statements of the girl, I am not inclined to allow this bail application. Accordingly, it is rejected.
6. However, the applicant is at liberty to repeat the prayer after examination of the prosecutrix.

Sd/-
GOUTAM BHADURI
JUDGE