

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 1043 of 2016**

Anil Sharma S/o Diwakar Sharma Aged About 29 Years R/o Village-Nawagaon, Khagesh, Police Station- Kunda, District Kabirdham, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Pandariya, District Kabirdham, Chhattisgarh (Wrongly Mentioned As Police Station Kunda in Order Imagined).

---- Respondent

For applicant – Shri V.C. Ottalwar, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.
For objector - Shri Somkant Verma, Advocate.

Hon'ble Shri Justice Goutam Bhaduri**Order****9/12/2016**

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No. 105/2016 registered at Police Station Pandariya, Distt. Kabirdham (C.G.) for offence punishable under Sections 363, 368 (A), 376 of Indian Penal Code and Section 4 of Protection of Children from Sexual Offences Act.
2. As per the prosecution case, a report was made by the prosecutrix on 1/05/2016 for an incident which occurred on 27/03/2016 that the applicant on the pretext of marriage has committed sexual intercourse with the victim. Subsequently, refused to marry and also abused her. Thereby, offence has been committed.
3. Learned counsel for the applicant submits that the victim is alleged to be student of class-XI and till one month nothing has been disclosed which would show that false allegations have been attributed against the applicant, therefore the applicant may be granted benefit of anticipatory bail.

4. Learned State counsel and counsel for the objector opposes the prayer for grant of anticipatory bail.

5. Perused the statement of the victim. Considering such statement, I am not inclined to extend benefit of anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE