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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No.1140 of 2016**

1. Raja Nikose S/o Kailash Nikose Aged About 19 Years R/o Basantpur, Ward No 42, Near Firantin Temple Rajnandgaon, District Rajnandgaon, Chhattisgarh.
2. Supendra Thakur S/o Late Anand Thakur Aged About 18 Years R/o Basantpur, Bengali Chaul, Ward No 43, Rajnandgaon, District- Rajnandgaon, Chhattisgarh.
3. Shubham Shrivastav S/o Lomesh Shrivastav Aged About 18 Years R/o Basantpur, Jaldhara Chowk, Ward No 43, Rajnandgaon, District Rajnandgaon, Chhattisgarh.

---- **Petitioners****Versus**

- State Of Chhattisgarh Through S.H.O. Basantpur, Rajnandgaon, District Rajnandgaon, Chhattisgarh.

---- **Respondent**

For Petitioners	:	Shri Hemant Gupta, Advocate
For Respondent/State	:	Shri D. R. Minz, Dy.GA

S.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****07/11/2016**

Heard.

2. The applicants have preferred this application under Section 438 of Cr.P.C., apprehending their arrest in connection with Crime No.124/2016, registered at Police Station–Basantpur, District Rajnandgaon for alleged commission of offence under Section 354(ka/2), 354(D), 341, 506, 34 of IPC, Section 11(1)(4), 12 of the Protection of Children from Sexual Offences Act, 2012.

3. Case of the prosecution is that the applicants have outraged the modesty of a minor girl, aged about 11 years and also threatened the prosecutrix and her mother.

4. Learned counsel for the applicant submits that the allegations against the applicants are exaggerated. It is submitted that in fact, there was previous enmity between the father of the prosecutrix and the applicant No.1-Raja Nikose, therefore, the applicants have been falsely implicated in this case. It is lastly submitted that the applicants are young boys and therefore, they may be granted one opportunity.

5. On the other hand, learned State counsel opposed the prayer for grant of bail and submits that the prosecutrix, who is a minor girl, aged about 11 years, in her case diary statement, has clearly stated regarding the alleged act, and therefore, prima facie case is made out against the applicants.

6. Taking into consideration the nature of allegation and the contents of case diary statement of the prosecutrix as well as the overt act alleged to have been committed by the applicants, I am not inclined to grant anticipatory bail to the applicants.

7. Accordingly, the application is rejected.

SD/-
(Manindra Mohan Shrivastava)
Judge