

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7822 of 2016

Dharmendra Pankaj S/o Manharan Pankaj Aged About 19 Years Caste- Satnami, (Suryawanshi), R/o Village Bhurkunda Chowki, Pachpedi, Police Station Masturi District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Respondent

None for the applicant, even in the second round.
Shri D.R.Minj, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

05/12/2016

Heard.

The applicant has been arrested in connection with Crime No.343/2016 registered at Police Station – Masturi, District - Bilaspur (CG) for alleged commission of offences under Section 363, 366, 376 of IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012 (for short “the POCSO Act”).

2. Case of the prosecution is that the applicant kidnapped the prosecutrix and thereafter, committed rape on her.
3. Case diary perused.
4. From the case diary, it is revealed as also submitted by learned State counsel that the prosecutrix is less than 16 years of age as per the school records and in her statement before the Magistrate under Section 164 CrPC, she has clearly stated that on the threat of her life, she was kidnapped in the night by the applicant and taken to another place and subjected to rape.
5. Considering the aforesaid material on record, I am not inclined to grant bail

to the applicant. The application is therefore rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Deepti