

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.8373 of 2016**

- Jaiduram Kashyap @ Jaduram S/o Sampat Ram Kashyaap Aged About 34 Years R/o Q. No-101 Behind Collector Office Narayanpur, Police Station Narayanpur And Civil District Kondagaon, Chhattisgarh.

---- **Petitioner****Versus**

- State Of Chhattisgarh Through The Police Station Narayanpur, District Narayanpur, Chhattisgarh.

---- **Respondent**

For Petitioner	:	Shri P. K. Tulsyan, Advocate
For Respondent/State	:	Shri Manish Nigam, PL

S.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****02/01/2017**

Heard.

2. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.38/2016 registered at Police Station Narayanpur, District Narayanpur for the offence punishable under Section 377 of IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012. The applicant has been arrested on 20-04-2016.

3. Case of the prosecution is that the applicant committed unnatural act with the victim, who is minor aged 7 years.

4. Learned counsel for the applicant submits that the applicant has been falsely involved in the offence and he has not committed any such act. He submits that the applicant is in jail since 20-04-2016, but till date, the trial has not been completed, therefore, only on the ground of pre-trial detention, the applicant may be granted bail.

5. On the other hand, learned State counsel opposed the prayer for grant of bail on the submission that in view of the statement of victim, who is barely 7 years of age, prima facie case of commission of offence is made out against the applicant, which is heinous one.

6. Taking into consideration the submission of learned counsel for the parties, material on record, particularly taking into consideration the statement of the victim, I am not inclined to grant bail to the applicant. However, the trial Court is directed to expedite the trial.

7. In the result, the application is rejected.

SD/-

(**Manindra Mohan Shrivastava**)

J U D G E