

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 289 of 2017

Goverdhan Das @ Godu S/o Sachhanand, Aged About 48 Years R/o
Subhash Chowk, Ward No. 19, Police Station Rajhara, District Balod,
Chhattisgarh. **---- Applicant**

Versus

State Of Chhattisgarh Through District Magistrate Balod, Chhattisgarh.

---- Respondent

For Applicant	:	Shri P.R. Patankar, Advocate
For Respondent/State	:	Shri D.R. Minj, Dy. G.A.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/01/2017

Heard.

1. The applicant has moved this application for grant of temporary bail in connection with Crime No.146 of 2016 registered in Police Station-Dallirajhara, District Balod for the alleged commission of offence under Sections 376, 109 of IPC and Section 4 & 6 of the Protection of Children from Sexual Offences Act, 2012. The applicant has been arrested on 14.08.2016.
2. The application for grant of temporary bail has been moved on the ground that the applicant has to perform 'Kanyadan' ritual for marriage of his daughter which is to be held on 28.01.2017.
3. Learned State Counsel submits that though does not dispute the fact regarding solemnization of marriage of applicant's daughter, he submits that earlier this Court had considered the application for grant of bail and taking into consideration that the applicant is alleged to have committed offence

under Section 376, 109 of IPC read with Section 4 & 6 of POCSO Act for committing an act of sexual intercourse on a minor girl. Therefore, the applicant is not entitled to grant of temporary bail.

4. Considering the submissions of learned counsel for the parties and that I have rejected the application for grant of bail, I am not inclined to release the applicant on temporary bail. However, the applicant may apply to the jail authority or police authority to attend the marriage ceremony in custody.

5. The bail application is rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge