

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1716 of 2017**

Ganesh Ram S/o Narendra Ram, Aged About 22 Years R/o Village
Charaikhara, Police Station Narayanpur, District Jashpur, Chhattisgarh.

---- applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Narayanpur, District Jashpur, Chhattisgarh.

---- Respondent

For applicant	Mr. J.K. Saxena, Adv.
For Respondent/State	Mr. Anant Bajpai, PL

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****28/03/2017**

1. Heard finally.
2. The applicant has been arrested in connection with crime no. 89/2016 registered in PS. Narayanpur, Distt. Jashpur CG for offence under Section 294, 323, 506B, 34, 354 , IPC and Section 7 and 8 of the Protection of Children From Sexual Offences Act, 2012 (in brevity 'Act of 2012'). Charge sheet has been filed and the case is pending before the Court of Special Judge under Act of 2012/Additional Sessions Judge, Kunkuri, Distt. Jashpur.
3. Learned counsel for the applicant submits that statement under Section 161 of the Cr.P.C. was recorded after 2 days. FIR was lodged on 5-10-2016 and as per allegation, present applicant had eaten the tiffin box of the prosecutrix. He is aged about 22 years. He be granted bail during trial.
4. Learned State counsel opposes the bail application.
5. Perused the material available.
6. The prosecutrix was minor and after perusal of statement recorded under Section 164, CRPC and the statement recorded under Section 161, CRPC it appears that the prosecutrix was assaulted punishable

under Section 8 of the Act of 2012. The applicant along with other co-accused threatened to take her life, tore her uniform. They caught hold of the hand of the prosecutrix and committed other acts. Even when she was returning back she was again wrongfully confined and thereafter when the parents of the prosecutrix made attempt not to commit the act again, they were assaulted by the applicant and other co-accused persons.

7. On due consideration, I am not inclined to enlarge the applicant on bail. The bail application is rejected.

**Sd/-
(Chandra Bhushan Bajpai)
Judge**