

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2237 of 2017

1. Sandeep Toppo S/o Shri Villium Toppo, Aged About 18 Years, R/o Village- Birisinga, Police Station & Tahsil Lailunga, District Raigarh, Civil & Revenue District Raigarh, Chhattisgarh.

---- Applicant

Versus

1. State of Chhattisgarh Through Police Station- Lailunga, District Raigarh, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Manoj K.Sinha, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

01-05-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.26/2017 on 31-01-2017 by Lailunga police, District Raigarh, C.G. for the offence under Section 376 of the IPC and Section 4 and 6 of the Protection of Children from Sexual offences Act, 2012. Police after investigation filed the charge sheet on 06-04-2017, but learned counsel for the applicant is not in a position to state that in which Court the charge sheet is pending and what is the criminal case number. It is prayed that the medical report of the prosecutrix is negative; the applicant is in jail since three months, he is innocent, he may be granted bail.
3. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicant and would submit that the applicant had taken the prosecutrix aged about 5 years on a pretext to give chocolate and toys, he took her in his house and inserted his genital inside the mouth of said prosecutrix. The offence is serious. Therefore, the instant MCRC may be dismissed.
4. Perused the entire material.

5. On due consideration of the act committed by the applicant and the entire evidence collected, I am not inclined to grant bail to the applicant. Consequently, the instant MCRC is hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE

Aadil