

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC (A) No. 691 of 2017**

- Ajay Kumar Diwan, S/o Faguram Diwan, Aged About 21 Years
R/o Village Chhatwan, Thana Rajadevri, District Baloda Bazar,
Bhatapara, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Rajadevri, District
Baloda Bazar Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	: Shri Sameer Singh, Advocate.
For Respondent/State	: Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****01.09.2017**

Heard the matter finally.

2. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.33/2017 by Police Station Rajadevri, Distt. Baloda Bazar-Bhatapara, (C.G.) for the offence under Section 366, 333 & 376 of the Indian Penal Code and 4 & 6 of the Protection of Children from Sexual Offence Act, 2012 (In short POCSCO).

3. Learned counsel for the applicant would submit that the applicant is not the main accused. He had not committed rape with the prosecutrix and as per allegation the applicant helped the main accused to take the prosecutrix with him and he is the first offender. The anticipatory bail may be given to the applicant, as he is a

student.

4. Per Contra, Learned counsel for the Non-applicant/State opposed the argument advanced on behalf of the applicant.

5. Peruse the entire matter

6. On consideration of the entire evidence collected against the applicant, also as the matter is under investigation, I am not inclined to grant anticipatory bail to the applicant.

7. Consequently, the instant MCRCA is hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
Judge