

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6236 of 2017**

- Kamruddin S/o Mohd. Munir Aged About 20 Years R/o Subhash Nagar, Charcha Colliery, District Korea Chhattisgarh

----Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Of Police Station Charcha, District Korea Chhattisgarh

---- Respondent

For Applicant	:	Shri Anil Gulati, Advocate
For Respondent-State	:	Shri Anupam Dubey, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****28/11/2017**

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 07.07.2017 in connection with Crime No.105/2017 registered at Police Station Charcha, District Korea (CG) for the offence punishable under Sections 363, 366, 376 r/w 34 of the I.P.C. and Sections 4 & 6 of the Protection of Children from Sexual Offences Act.
2. As per the prosecution case, a report was lodged by the victim that the present applicant in the month of March along with the other co-accused had taken away the girl from the lawful guardianship of her parents and committed forceful sexual intercourse and thereafter the other co-accused committed sexual intercourse.
3. Learned counsel for the applicant submits that the applicant has been

falsely implicated in this case and there is no allegation of rape against the present applicant, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have perused the statement of the victim, which prima facie shows that the victim appears to be a minor. The allegation against the present applicant is that he along with the other co-accused has taken away the minor girl from the custody of her parents. Considering the same, I am not inclined to release the applicant on bail. Accordingly, the bail application is dismissed.

Sd/-

Goutam Bhaduri

Judge

Ashu