

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6628 of 2017

Pritam Singh Kanwar, S/o. Late Nawadha Singh, Aged About 22 Years,
R/o. Nimdih, Thana- Urga, District Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Station-
Darima, District Sarguja, Chhattisgarh.

---- Respondent

For Applicant : Mr. Jitendra Shrivastava, Advocate

For Respondent : Mr. S.K.Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06.12.2017

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 in connection with Crime No.56/2017 registered at Police Station- Darima, Ambikapur, Distt. Sarguja (C.G.) for the offence punishable under Sections 363, 366, 376(2) (a), 468 of I.P.C. and Section 5 (a) /6 & 17 of POCSO Act, 2012.
2. As per the prosecution case, a report was lodged by the prosecutrix on 01.05.2017 that the applicant has committed forceful sexual intercourse with her on the pretext of marriage and she was taken to different places and thereafter left her in the Nagpur station and fled away.
3. Learned counsel for the applicant submits that the prosecutrix herself has shown her age in the FIR to be 19 years, she was a consenting party and the applicant has not committed any offence, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the prosecutrix under Section 161 & 164 of Cr.P.C. Considering her statement, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Ashok