

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7510 of 2017**

Mahtab Khan S/o Lalbabu Khan, Aged About 20 Years R/o Banjari  
Nagar, Near Madarsa, Police Station Khamtarai, Raipur, Tahsil &  
District Raipur Chhattisgarh

---- Applicant

**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station  
Khamtarai, Raipur District Raipur Chhattisgarh

---- Respondent

---

|                      |                         |
|----------------------|-------------------------|
| For applicant        | Mr. Pradeep Singh, Adv. |
| For Respondent/State | Mr. UNS Deo, Govt. Adv. |

---

**Hon'ble Shri Justice Sharad Kumar Gupta**  
**Order On Board**

**15-12-2017**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. Perused the copy of the case diary produced by counsel for the applicant in connection with Crime No. 539/2017 registered in police station Khamtarai, Raipur, Distt. Raipur (CG) for offence punishable under Section 363 and 366 of the Indian Penal Code, 1860 and also heard counsel for the parties.
3. Prosecution story in brief is that the prosecutrix is a minor girl aged about 15 years. On 8-11-2017 at about 5 pm, the applicant abducted her from village Khamtarai promising her to marry.
4. Charge sheet is not yet filed. The applicant is in custody since 10-11-2017.
5. Counsel for the applicant argued that the applicant is innocent and falsely implicated hence he may be released on bail.
6. On the other hand, the Panel Lawyer appearing for the State opposed the bail application.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.
8. Consequently, the MCRC is dismissed.

**Sd/-**  
**(Sharad Kumar Gupta)**  
**Judge**