

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1126 of 2018

Manchu Kumar Khunte, aged about 30 years, S/o late Shri Jagdish Prasad Khunte, R/o Shyam Nagar, Atal Awas, Lata, P.S. Darri, District Korba (C.G.)
 ---- Applicant
 (In Jail)

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Bankimongara, District Korba (C.G.)
 ---- Non-applicant

For Applicant:	Mr. Govind Ram Miri, Advocate.
For Non-applicant:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. AgrawalOrder On Board18/04/2018

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.29/2017, registered at Police Station Darri, Distt. Korba, for the offence punishable under Sections 363, 366-A, 376 of the IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the applicant abducted the minor prosecutrix and committed sexual intercourse with her and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. The prosecutrix is major and the applicant has also married the prosecutrix and charge-sheet has already been filed. The applicant is in jail since 16-9-2017 and no useful purpose will be served by keeping him in jail.

4. On the other hand, learned State counsel opposes the application and submits that the prosecutrix is minor on the date of offence and there are number of documents available on record to demonstrate that she was minor on the date of offence.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case and age of the prosecutrix who appears to be minor on the date of offence, I do not find any ground for grant of bail to the applicant. The application is, therefore, rejected.

Sd/-
(Sanjay K. Agrawal)
Judge