

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1843 of 2018

- Ranjeet Mahilangey S/o Ashwani Kumar Mahilangey Aged About 19 Years R/o- Village Nawalpur, Tahsil And District- Bemetara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, P.S. Bemetara, District- Bemetara, Chhattisgarh

---- Respondent

For Applicant	:	Shri Vivek Sharma, Advocate
For Respondent/ State	:	Shri UNS Deo, Government Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

ORDER ON BOARD

23.04.2018

- 1) This is first bail application under Section 439 of the Cr.P.C., preferred by the applicant before this Court and no other bail application is pending before any other Court.
- 2) The applicant is in jail in connection with Crime No.04 of 2018 registered in Police Station Bemetara, district Bemetara (CG) for offence punishable under Sections 363. 366(a), 376 of the IPC and Section 6 of POSCO (Protection of Children from Sexual Offences) Act, 2012.
- 3) Prosecution story, in brief, is that at the time of the incident, prosecutrix was 15 years old. There was love affair between

them. On 24.05.2016, the applicant took away the prosecutrix from her school making a promise to marry her. Thereafter, the applicant committed sexual intercourse with her so many times on the pretext of marriage.

- 4) Learned counsel for the applicant submits that the applicant has been falsely implicated in the case and has not committed any offence. He further submits that the applicant is innocent and has no criminal antecedent, therefore, he may be released on bail.
- 5) On the other hand, learned State counsel opposes the bail application.
- 6) I have heard learned counsel for the parties.
- 7) Looking to the facts and circumstances of the case, looking to the seriousness of the offence, and also looking the impact of granting bail to the applicant on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C, to the applicant.
- 8) Consequently, the present bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge