

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1891 of 2018**

Bablu @ Sanjay Yadav, S/o Mahendra Yadav, aged about 24 years, Occupation -Vehicle Driver, R/o Boirdadar Raigarh and District Raigarh (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station- City Kotwali Raigarh, District Raigarh (C.G.)

---- Respondent

For Applicant :	Mr. M.K. Jaiswal, Advocate.
For Non-applicant :	Mr. Ashish Surana, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board**

23/04/2018

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 27/2018 registered at Police Station City Kotwali, Raigarh, District Raigarh for the offence punishable under Sections 363, 366 & 376 of Indian Penal Code & Section 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.

(2) Case of the prosecution, in brief, is that present applicant abducted the minor prosecutrix and committed sexual intercourse with her against her will and thereby committed the aforesaid offence.

(3) Counsel for the applicant submits that the applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that applicant is in jail since 08.02.2018 and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State submits the prosecutrix was minor on the date of commission of offence.

(5) Taking into consideration the facts & circumstances of the case and the manner in which the prosecutrix, who is minor girl is said to have been raped by the applicant, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

