

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2345 OF 2018**

Bharat Patel S/o Aghanlal Patel aged about 20 years, R/o Nayapara
Champa, Police Station : Champa, District : Janjgir-Champa (CG)

---Applicant**Versus**

State of Chhattisgarh, Through: Station House Officer, Police Station :
Champa, District : Janjgir Champa (CG)

---Non-applicant

For Applicant	:	Mr.Amit Singh, Advocate
For-Non-applicant	:	Mr.R.N.Pusty, Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****2/7/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 302/2017, registered at Police Station-Champa, District-Janjgir-Champa (C.G.), for the offence punishable under Sections 363, 366 and 376/34 of the IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that the applicant kidnapped the minor prosecutrix and committed sexual intercourse with her and thereby committed the offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant is in jail since 11.11.2017 and charge-sheet has been filed.

4. Learned State counsel would oppose the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, age of the prosecutrix who is said to be minor on the date of offence and material available on record, this Court is not inclined to release the applicant on regular bail.
7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-