

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3287 of 2018**

Puran Ram, S/o Shri Gopal Ram, Aged about-32 years, R/o Dewari, Police Station-Korandha, District Balrampur- Ramanujganj (C.G.)

---- Applicant**Versus**

State of Chhattisgarh, Through : Station House Officer, Police Station – Korandha, District – Balrampur- Ramanujganj (C.G.)

---- Non-applicant

For Applicant	:	Mr. Rishi Rahul Soni, Advocate.
For Non-applicant	:	Mr. Anand Dadariya, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****25/06/2018**

(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. 10/2016 registered at Police Station Korandha, Civil District Sarguja, Revenue District Balrampur- Ramanujganj for the offence punishable under Sections 363, 366, 342 & 376(2)(i)(n) of the Indian Penal Code and Section 5(1)/6 of the Protection of Children from Sexual Offences Act, 2012.

(2) Case of the prosecution, in brief, is that applicant committed sexual intercourse with the minor prosecutrix after abducting her and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicant has falsely been implicated in the crime in question as he has not committed any

offence. He further submits that applicant is in detention since 28.11.2016; no useful purpose would be served in detaining him further in the jail. He further submits that as the prosecution witnesses No. 1 to 3 have not supported the prosecution case, the applicant may be released on regular bail.

(4) On the other hand, learned counsel for the State opposes the bail application and submit that the prosecutrix was minor, aged about 10 years, on the date of offence and, therefore, the applicant is not entitled for regular bail.

(5) Taking into consideration the facts & circumstances of the case and the manner in which the prosecutrix, who is minor girl; aged about 10 years, 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. However, the trial Court is directed to expedite the trial.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

