

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3254 OF 2018**

Amit Kumar @ Amit Panika S/o Surajlal Panika, aged about 20 years, R/o Jamdi School Para, Police Station Patna, District Korea (CG)

---Applicant**Versus**

State of Chhattisgarh, Through Station House Officer, Police of Police Station, Patna, District Korea (CG)

---Non-applicant

For Applicant	:	Mr.Anil Gulati, Advocate
For-Non-applicant	:	Mr.Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****23/07/2018**

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.55/2018, registered at Police Station-Patna, District-Korea (C.G.), for the offence punishable under Sections 376 and 306 of the IPC and Section 4 & 6 of the Protection of Children from Sexual Offences Act.

2. Case of the prosecution, in brief, is that the applicant firstly repeatedly committed sexual intercourse with minor prosecutrix on the pretext of marriage and when he refused to marry she committed suicide on account of instigation given by the applicant and thereby committed the offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. He would further submit that there is no evidence to implicate the present

applicant in crime in question, he is in jail since 30.3.2018 and charge-sheet has been filed.

4. Learned State counsel would oppose the prayer for grant of bail.

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, role of the present applicant and the fact that the applicant firstly repeatedly committed sexual intercourse with minor prosecutrix, 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/-