

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3377 of 2018**

1. Aap Pradeep Chaturvarvedani S/o Lalit Chaturvarvedani, aged about 24 years, R/o Village Chhote, Urla, Police Station Abhanpur, District Raipur (C.G.) **----Applicant**

Versus

The State of Chhattisgarh, through Station House Officer, P.S. Urla, District Raipur, C.G. **---- Non-applicant**

For Applicants	:	Mr. Kamlesh Kumar Pandey, Advocate.
For Respondent/State	:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****02/07/18**

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 applicants who have been arrested in connection with Crime No. 169/2017, registered at Police Station Urla (C.G.) for the offence punishable under Sections 366, 363, 376, 506 of the Indian Penal Code and Section 4 / 6 of the Protection of Children From Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that, the applicant has committed sexual intercourse with the minor prosecutrix and thereby committed the offence under the aforesaid sections.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question and has not committed any offence. He further submits that the applicant is in custody since 23.08.2017

and charge-sheet has been filed and the statement of prosecutrix has been recorded in which she has not supported the case and the medical evidence has also not supported the case of the prosecution and also the trial is likely to take some time for its final disposal, therefore he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case; further taking into consideration the nature & gravity of the offence; role of the present applicant; statement of the prosecutrix recorded in the Court, and also the age of the prosecutrix, I do not consider it a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

Certified copy as per rules.

SD/-

(Sanjay K. Agrawal)

Judge