

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.3878 of 2018**

- Ramesh Kumar @ Golu Yadav, S/o. Rajaram Yadav, Aged about 21 years, R/o. RPF Colony, Near Pani Tanki, Bapu Nagar Torwa, Police Station Torwa, Distt. Bilaspur (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Torwa, Distt. Bilaspur, Chhattisgarh

---- Respondent

For Applicant	: Shri KPS Gandhi, Advocate
For respondent/State	: Shri Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****20.7.2018**

1. This is the First bail application filed under Section 439 of the Code of Criminal Procedure, for grant of bail to the applicant who has been arrested on 04.5.2018 in connection with Crime No.133/2018, registered at Police Station Torwa, District- Bilaspur (CG) for the offence punishable under Sections 363 and 366 of the Indian Penal Code.

2. As per the case of the prosecution, present applicant enticed minor prosecutrix and took her to Raigarh to Nagpur from lawful guardianship with intend to force her or seduce her to commit intercourse. Further case of the prosecution is that on the date of incident, i.e. 26.3.2018 the prosecutrix was less than 14 years of age as her date of birth is 18.8.2004

3. Learned counsel for the applicant submits that there is no prima facie evidence against the applicant and he has been arrested on 04.5.2018 on account of false charges, therefore he may be enlarged on bail.

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

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

6. Looking to the age of the prosecutrix and also considering the fact of enticing a minor girl, it is not a fit case to grant bail to the applicant.

7. Accordingly, the application filed under Section 439 of the CrPC is rejected.

Sd/-

(Ram Prasanna Sharma)

JUDGE