

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 4229 of 2018**

Pritam Ghasiya @ Nan Chhaua S/o Risk Ghasiya Aged About 28 Years R/o Badakapara, Ghasiyapara, Ward No. 18 P.S. And Tahsil Surajpur District Surajpur Chhattisgarh

----Applicant**Versus**

State Of Chhattisgarh Through The Police Station Surajpur, District Surajpur, Chhattisgarh

----Non-applicant

For Applicant	:	Mr. A.N. Pandey, Advocate
For State	:	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****12/07/2018**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 104/2018 registered at Police Station Surajpur, District Surajpur, Chhattisgarh for the offence punishable under Sections 354, 324 of Indian Penal Code and Sections 7 & 8 of Protection of Children from the Sexual Offences Act.
2. The present applicant is in jail since 17.03.2018 in connection with the aforesaid Crime number.
3. The allegation against the present applicant as per the case of prosecution is that on the date of incident i.e. 15.03.2018 the present applicant is said to have forcefully entered into the house of the prosecutrix and is said to have outraged her modesty.

4. The counsel for the applicant submits that the present applicant has already remained in custody for a period of more than 4 months and therefore the present applicant may be released on bail.
5. The State counsel however opposes the bail application and submits that the victim in the present case is a 14 years old girl and half the age of the applicant, therefore he does not deserve bail for the act that he has done.
6. Having heard the contentions put forth on either side and on perusal of the record, particularly taking into consideration the age of the prosecutrix and the statement of the prosecutrix, this Court is of the opinion that it is not a fit case for grant of bail to the applicant.
7. Accordingly, the present application deserves to be and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge