

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5210 of 2018**

Sanju Kumar Singh S/o Shri Anil Kumare Singh Aged About 22 Years
R/o Sakin Bazar Chowk Behind P. P. T. School, Bungalow 32 Puraina
Distt. Durg Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Old Bhilai, Distt. Durg
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Akhilesh Kumar, Advocate
For the State	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**18/09/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with the Crime No.13/2017 registered at Police Station Old Bhilai, District Durg (C.G.) for the offence punishable under Sections 376 & 377 of IPC and Section 5 & 6 of the POCSO Act.
3. Case of the prosecution, in brief is that on 10/01/2017 prosecutrix was aged about 10 years old. She is resident of Amakunwa Chowk, Purani Bhilai. On 10/01/2017 prosecutrix was present in her house. Near about 17 hours applicant had reached in the house of the prosecutrix. Thereafter applicant committed forcibly sexual intercourse with the prosecutrix.
4. Counsel for the applicant submits that applicant is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. Looking to the above mentioned facts and circumstances of the case,

prima facie looking to the age of prosecutrix, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.

7. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde