

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5167 of 2018

Pradeep Kumar Minj S/o Muneshlal Aged About 21 Years R/o Kerajhariya,
Uraonpara, Police Station Sonhat District Korea Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station
Sonhat District Korea Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Anil Gulati, Advocate
For Respondent	:	Mr. Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

13/08/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.07/2018, registered at Police Station- Sonhat, District – Korea (C.G.) for the offence punishable under Section 363, 366, 376, of the Indian Penal Code and Section 8 of Protection of Children from Sexual Offences Act.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 04.02.2018. No case is made out against him according to the material present in the charge-sheet. Hence, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect. It is submitted that looking to the age of prosecutrix i.e. 13 years 6 months, no case is made out for grant of bail.

4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. The case against the applicant is this that he abducted the minor prosecutrix of age 13 years and six months and then committed the offence of rape with her.
6. Considered the submissions made and the contents of the case diary. After due consideration on all the material present on record, this Court is of the opinion that present is not a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge