

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6506 of 2018**

Lalit Kurrey, S/o Shri Gopal Kurrey Aged About 22 Years R/o- Village Kachhar, Thana Masturi, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- Police Station- Sirigitti, Bilaspur, District- Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri S.S. Rajput, Advocate
For the State	:	Shri S.K. Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**05/10/2018**

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. 84/2018 registered at Police Station Sirigitti, District Bilaspur (C.G.) for the offence punishable under Sections 363, 366(A), 376 of IPC and Section 4,6 of POCSO Act.
3. Case of the prosecution, in brief is that prosecutrix was below 16 years of age on 04/03/2015. She is resident of village Kachhar. On 04/03/2015 applicant had taken away prosecutrix in the house of his sister. Thereafter her taken away Puna and Jammu, he had committed sexual intercourse with the prosecutrix. Prosecutrix was become pregnant.
4. Learned 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, learned counsel for the State opposes the bail application. He further submits that there is no antecedents against the

applicant.

6. Looking to the above mentioned facts and circumstances of the case and looking to this fact that on 04/03/2015 prosecutrix was below 16 years of old, this Court is not inclined to grant the bail to the applicant.
7. Accordingly bail application is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde