

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6413/2018**

Om Prakash Kurrey, aged about 24 years, S/o. Late Sadhelal Kurrye, R/o. Village Tilai, Tehsil Berla, Raipur, Distt. Raipur (CG)

-v-

State of CG through SHO Police Station Urla, Raipur, Distt. Raipur (CG)

For applicant	Mr. Pushkar Sinha, Adv.
For Respondent/State	Mr. Vasim Miyan, PL.

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

10-10-2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 308/2018 registered in police station Urla, Raipur (CG) for offence punishable under Section 366, 376, 493 of the IPC.
3. Prosecution story in brief is that prosecutrix is aged about 19 years. Since back one year, the applicant committed repeated sexual intercourse with her on the pretext of marriage. In 8th month of the year 2017, he took away her, prosecutrix became pregnant, they performed marriage. Thereafter the applicant refused to keep her with him. The applicant was already married.
4. Counsel for the applicant argued that the applicant is innocent and falsely implicated hence he may be released on bail.
5. On the other hand, the State Counsel opposed the bail application. He further submitted that no criminal antecedent of the applicant is reported in the police case diary.
6. Looking to the facts and circumstances of the case, looking to the fact that the applicant was already married and committed sexual intercourse with the 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