

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6758 of 2018**

Sahjid @ Sajid S/o Gani Khan Aged About 25 Years R/o Ward No. 13,
Ramanujganj, Police Station - Ramanujganj, District - Balrampur, CG

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station, Ramanujganj, District -
Balrampur, CG

---- Respondent

For applicant	Mr. Kishore Narayan, Adv.
For Respondent/State	Mr. Ashok Swarnkar, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****30-10-2018**

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. 37/2018 registered in police station Ramanujganj, Distt. Balrampur (CG) for offence punishable under Section 363, 366, 376(2)(ढ) of IPC and Section 6 of the POCSO Act.
3. Prosecution story in brief is that on 10-4-2018 the prosecutrix was below 16 years of age. She is resident of Ward No. 7, Ramanujganj. There was love affair between her and the applicant since back one year. On 9-4-2018 the applicant took her to Delhi and committed sexual intercourse.
4. Counsel for the applicant argued that the applicant is innocent and falsely implicated hence he be released on bail.
5. On the other hand, the Panel Lawyer appearing for the State opposed the bail application. However, he 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 prosecutrix was below the age of 16 years on 10-4-2018, this Court is not inclined to grant bail to the applicant.
7. The application is rejected.

Sd/-**(Sharad Kumar Gupta)****Judge**