

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8022 of 2018**

Asharaf Ansari S/o Late Karmuddin Ansari Aged About 24 Years R/o Village Sundarpur Police Station Sanawal District -Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh.

---- **Applicant**

Versus

State Of Chhattisgarh Through The Police Station Sanawal District -Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh.

---- **Respondent**

For the Applicant : Shri A.N. Pandey, Advocate
For the State : Shri Satish Gupta, G.A.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**10/12/2018**

1. Shri John Pradeep Lakra, SHO, Police Station Sanawal, District Balrampur-Ramanujganj is present personally.
2. He has submitted his explanation.
3. Explanation is considered.
4. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
5. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.56/2018 registered at Police Station Sanawal, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 376 (2)(N), 417, 467, 468 & 450 of IPC and under Section 6 & 17 of POCSO Act.
6. Case of the prosecution, in brief is that on 28/08/2018 prosecutrix was below 16 years of age. She is resident of village Sanawal. Applicant shown his name Suraj Panika and committed repeatedly sexual intercourse with the prosecutrix on pretext of marriage.
7. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
8. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
9. Counsel for the applicant further submits that all the acts were in the notice of the parents of the prosecutrix. Medical evidence is not supporting to the prosecution case, thus he may be released on bail.
10. Looking to the facts and circumstances of the case, looking to the age of prosecutrix, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

Sd/-

(Sharad Kumar Gupta)
Judge