

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8608 of 2018**

Nirmal Kumar Varndani S/o Parimal Das @ Shankar Lal Varndani, aged about 30 years, R/o- A/o1 Sindhu Vatika, near maruti residency, Amlidih, Raipur (C.G.).

--- Applicant**Versus**

State of Chhattisgarh, Through P.S. GRP, Raipur (C.G.).

---- Respondent

For Applicant	:	Mr. J.K. Gupta, Advocate
For Respondent	:	Mr. R.K. Jaiswal, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**28/11/2018**

1. The Applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 222/2018 registered at Police Station GRP, Raipur (C.G.) for the offence punishable under Sections 376, 363 & 366 of the IPC and Section 4 of the POCSO Act.
2. In this case, the Prosecutrix is a girl aged about 13 ½ years at the time of incident. As per prosecution story, on 24/07/2018 the Prosecutrix was abducted by the Applicant from Railway Station, Raipur and after roaming from one place to another, he took the Prosecutrix to a lonely place and committed rape with her. He threatened her not to disclose the incident. On the basis of report made by the Prosecutrix, offence has been registered and the Applicant has been taken into custody on 31/07/2018.

3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated. He further submits that the Applicant is in jail since 31/07/2018 and trial will take time, therefore, he may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the Prosecutrix is a minor girl aged about 13 ½ years and there is sufficient evidence available on record, on the basis of which prima-facie offence is made out against the Applicant, I am not inclined to release the Applicant on bail.
7. Accordingly, the bail application is rejected.

Sd/-
(Arvind Singh Chandel)
Judge