

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8870 of 2018**

Satish Achari, S/o late Suresh Achari, aged about 34 years, R/o Supela, Radhika Nagar, House No.30/4, Near Devanta Hospital, Police Station Supela, District Durg(CG)
---- Applicant

Versus

State of Chhattisgarh, through S.H.O., Police Station Chavni, Bhilai, District Durg (CG).
---- Non-applicant

For Applicant	: Mr. Shikhar Bakhtiyar, Advocate
For Non-applicant	: Mr. Neeraj Kumar Sharma, Dy.G.A.

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

01.12.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.613/2018 registered in Police Station Chavni, District Durg for the offence punishable under Sections 354(b), 294, 506, 323 of IPC and Sections 9(n) & 12 of Protection of Children from Sexual Offences Act.
3. Case of the prosecution, in brief, is that on 06.08.2018 the prosecutrix was aged about 13 years old. The present applicant is a step-father of prosecutrix. On 06.08.2018 he abused her and beaten her. He used criminal force to outrage her modesty and removed her clothes and touched her private body parts.
4. On the other hand, counsel for the State opposes the prayer for grant of bail to the applicant.
5. Looking to the above mentioned facts and circumstances of the case and looking to the seriousness of the offence; and looking to the impact of granting bail to the applicant on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant. Consequently, the bail application is rejected.
6. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-