

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8840 of 2018**

Aghanu Dhruv @ Konda, S/o Shri Cheduram Dhruv, aged about 38 years, R/o Puran Ghorpura, Mungeli, Police Station Mungeli, District Mungeli(CG) **---- Applicant**

**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Sirgitti, District Bilaspur (CG). **---- Non-applicant**

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| For Applicant     | : Mr. Rishi Rahul Soni, Advocate  |
| For Non-applicant | : Mr. Sumit Jhanwar, Panel Lawyer |

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**Hon'ble Shri Justice Sharad Kumar Gupta**  
**Order On Board**

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**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.100/2015 registered in Police Station Sirgitti, Civil and Revenue District Bilaspur for the offence punishable under Sections 363, 366, 376 of IPC and Section 6 of Protection of Children from Sexual Offences Act.
3. Case of the prosecution, in brief, is that on 25.04.2015 at about 2:30 p.m. the applicant took away the prosecutrix and committed sexual intercourse with her. The age of prosecutrix is 03 years old.
4. Counsel for the applicant submits that the applicant has not committed any offence and has been falsely implicated in the case and as such he may be granted bail.
5. On the other hand, counsel for the State opposes the prayer for grant of bail to the applicant however, he submits that no criminal antecedent reported against the applicant in police case diary.
6. 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.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)  
**JUDGE**