

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 9030 of 2018

- Suraj Rajwade @ Nane S/o Govind Rajwade Aged About 19 Years R/o Shivpur, Police Station- Ramanujnagar, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Ramanujnagar, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh

---- Non-applicant

For Applicants	: Shri Anil Gulati, Advocate.
For Non-applicant	: Shri Neeraj Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board06.12.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 109/2018 registered at Police Station – Ramanujnagar, District- Surajpur, (C.G.) for the offence punishable under Sections 506, 363, 366, 376 of the Indian Penal Code and Section 4 of the POCSO Act and Section 3(2)(5) of the SCST Act.
3. Case of the prosecution, in brief is that on 01.09.2016 prosecutrix was below 13 years of age. She is resident of village Shivpur. She is member of Scheduled Tribe. Applicant is neither member of scheduled caste nor scheduled tribe. On 01.09.2016 and onwards applicant committed repeated sexual intercourse with her after giving threatening and on pretext of marriage. On 12.07.2018 he took her.
4. Learned counsel for the applicant submits that the applicant has no criminal background, he is innocent, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE