

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1249 of 2019**

Manoj Kumar S/o Nandlal @ Jhinga Aged About 28 Years R/o Village Sakreli, Police Station Baradwar District Janjgir Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Baradwar District Janjgir Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh .

---- Respondent

For the Applicant	:	Shri Yogeshwar Sharma, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

07/05/2019

1. Alleged authorized person Pancham Kumar Gadahi by the informant-prosecutrix is present. After putting some questions this Court is satisfied that man who is present in the Court is the father of the informant-prosecutrix.
2. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
3. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.253/2018 registered at Police Station Baradwar, District Janjgir-Champa (C.G.) for the offence punishable under Sections 450, 363, 366, 376(2) (अ)(ब) of IPC and Section 6 of POCSO Act.
4. Case of the prosecution, in brief is that on 01/07/2018 prosecutrix was below 16 years of age. She is resident of village Sakrelibhatha. On 01/07/2018 onwards applicant committed repeatedly sexual intercourse with her on pretext of marriage kept her in his house and thereafter ousted her.
5. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
6. On the other hand, counsel for the State opposes the bail application. He

further submits that no criminal antecedents against the applicant.

7. Father of the informant-prosecutrix submitted that applicant may not be released on bail.
8. Looking to the above mentioned facts and circumstances of the case, looking to this fact that on 01/07/2018 prosecutrix was below 16 years of age, 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

Kamde