

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1210 of 2019**

Narendra Singh S/o Ramprasad Gond Aged About 21 Years Caste-Gond, R/o Pivri Jobapara, Police Station- Ramanujnagar, District-Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh.

---- **Applicant**

Versus

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

---- **Respondent**

For the Applicant	:	Shri Abhishek Pandey, Advocate
For the State	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

10/04/2019

1. Notice has been served upon father of informant-prosecutrix namely Rajkumar. Rajkumar neither present nor any other person on behalf of him.
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.193/2018 registered at Police Station Ramanujnagar, District Surajpur (C.G.) for the offence punishable under Sections 376(2)(N), 376(C), 506 of IPC and Section 4 & 6 of POCSO Act.
4. Case of the prosecution, in brief is that on 01/06/2017 prosecutrix was below 16 years of age. She is resident of village Pivri. On 01/06/2016 to 15/06/2017 applicant committed repeatedly sexual intercourse with her. She became pregnant. Thereafter he ended the relation with 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. Counsel for the applicant further submitted that FIR is delayed by one year.

8. What would be the effect of delayed FIR is the subject matter of the scrutiny, which this Court cannot do at this stage.
9. Looking to the above mentioned facts and circumstances of the case, looking to this fact that at the time of first alleged incident 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