

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1586 of 2019

- Saloman Ganda @ Ramnath S/o Haridas Ganda Aged About 32 Years R/o Mastanpara Sukma, P.S. Tahsil And District- Sukma, Chhattisgarh., District : Sukuma, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Sukma, District- Sukma, Chhattisgarh., District : Sukuma, Chhattisgarh

---- Non-applicant

For Applicant	: Shri Praveen Dhurandhar, Advocate.
For Non-applicant	: Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

15.04.2019

1. The informant mother of the prosecutrix – Bharti Thakur is present in person.
2. After putting some questions, this Court is satisfied that the woman who is present before this Court is the informant.
3. 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.
4. Perused the case diary provided by the learned counsel for the State in connection with crime No. 56/2014 registered at Police Station – Sukma, District Sukma (C.G.) for the offence punishable under Sections 363, 366 of the Indian Penal Code.
5. Case of the prosecution, in brief is that on 29.06.2014 prosecutrix was below 16 years of age. She is resident of village Bhawaras. On 29.06.2014 at 22 hours applicant took her by enticing on pretext of marriage.
6. Learned counsel for the applicant argued that the applicant has no criminal background, he is innocent, therefore, he shall be released on bail.
7. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicant.
8. The informant submitted that she has objection in releasing the applicant on bail.
9. Looking to the above mentioned facts and circumstances of the case, looking to this fact that at the time of alleged incident prosecutrix was below 16 years of age, 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.
10. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE