

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2048 of 2019**

Bheekh Sai @ Bheekh Sai S/o Shri Devsharan Aged About 27 Years
Caste- Malar, R/o Lachha, Colonypara, P.S. Surajpur, District-
Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Poliec
Station Ramanuj Nagar, Distict- Surajpur, Chhattisgarh.

---- Respondent

For the Applicant	:	Ms. Laxmin Kashyap, Advocate
For the State	:	Shri Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****06/05/2019**

1. Allegedly informant-Kawal Sai Soni is present.
2. After putting some questions this Court satisfied that the person who is present in the Court is informant-father of the prosecutrix.
3. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
4. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.62/2018 registered at Police Station Ramanuj Nagar, District Surajpur (C.G.) for the offence punishable under Sections 363, 366, 376, 506 of IPC and Section 4 of POCSO Act.
5. Case of the prosecution, in brief is that on 20/03/2018 prosecutrix was below 14 years of age. She is resident of Rajapur. On 20/03/2018 at about 7 p.m. applicant took her forcibly and committed sexual intercourse with her.
6. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
7. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
8. Informant Kawal Sai Soni submitted that applicant may be released 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 14 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