

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2665 of 2019**

- Ritu Verma S/o Doulat Verma (Doulatram Verma) Aged About 32 Years R/o Village Badhai Tola, Police Station Khairagarh, District Rajnandgaon Chhattisgarh. (Mobile No. 8827578040)

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Khairagarh, District Rajnandgaon Chhattisgarh

---- Non Applicant

For the Applicant	:	Shri Abhishek Pandey, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****16.05.2019**

1. This is the 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.368/2018 registered at Police Station- Khairagarh, District- Rajnandgaon (C.G.) for the offence punishable under Section 363, 366, 376(3), 376 AB IPC, Section 3 (2) (v-a) and 3 (2) (v) of SC/ST (Prevention of Atrocities) Act, 1989 and Section 6 of Protection of Children from Sexual Offences Act.
3. Case of the prosecution, in brief is that on 15.12.2018 prosecutrix was below 9 years of age. She is a member of Scheduled Tribe. At about 14:00 hours at village Badhai Tola, applicant had touched her private parts by his finger.
4. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal antecedent against the applicant in police case diary.
6. 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 9 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.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul