

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3180 of 2019**

- Kamlesh Sahu S/o Manohar Sahu Aged About 19 Years R/o Krishna Nagar, Police Chowki Manikpur, Tahsil And District (Revenue And Civil) Korba Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Out Post Manikpur Kotwali, District (Revenue And Civil) Korba Chhattishgarh

---- Non Applicant

For the Applicant	:	Shri Anand Kesharwani, Advocate
For the State	:	Shri Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

26.06.2019

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.68/2019 registered at Police Station- Out Post Manikpur, Kotwali, District- (Revenue & Civil)- Korba (C.G.) for the offence punishable under Sections 363, 366 of Indian Penal Code.
3. Case of the prosecution, in brief is that on 21.01.2019, prosecutrix was below 15 years of age. She is resident of village Murapar. On 21.01.2019, applicant took her by enticing at Jammu.

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 and he further submits that charge sheet has been filed.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no criminal antecedent against the applicant.
6. Looking to the above mentioned facts and circumstances of the case, looking to this fact that on 21.01.2019, prosecutrix was below 15 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.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul