

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3231 of 2019**

- Gopichand Sahu S/o Sahdevram Sahu Aged About 23 Years R/o Village-Koliyari (Bhakhara), Tahsil- Kurud, District- Dhamtari, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station- Kurud, District- Dhamtari, Chhattisgarh

---- Respondent

For Applicant : Shri PK Patel, Advocate

For Respondent/State : Shri Rahul Mishra, GA

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****20/05/2019**

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 01.04.2019 in connection with Crime No.160/2019 registered at Police Station Kurud, Civil and Revenue District Dhamtari (CG) for the offence punishable under Sections 363, 366, 376 IPC and Section 4 (6) of the Protection of Children From Sexual Offences Act, 2012.
2. As per the prosecution case, the applicant abducted the minor prosecutrix and thereafter committed the forceful sexual intercourse on the pretext of marriage. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated and he has not committed any crime as the prosecutrix was the

consenting party, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the entire facts of the case and the material available in case diary as also the age of the prosecutrix who is said to be a minor, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application is dismissed.

Sd/-

Sanjay K. Agrawal
Vacation Judge

Ashu