

NAFRHIGH COURT OF CHHATTISGARH, BILASPURM.Cr.C.(A) No. 1112 of 2019

- Yogesh Kumar Chandrakar S/o Santosh Kumar Chandrakar Aged About 23 Years R/o House No. 733, Shankar Nagar, Ward No. 12 Jagriti Chowk Durg, Police Station - Mohan Nagar, Durg Tehsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Office, Police Station - Mohan Nagar, Durg District - Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant : Mr. Shrawan Agrawal, Advocate.

For Non-applicant : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board16.08.2019

1. This is an application for grant of anticipatory bail under Section 438 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. The applicant is apprehending his arrest in connection with Crime No. 145/2019 registered at Police Station- Mohan Nagar Durg, Durg (C.G.), for offence punishable under Sections 363, 366 the Indian Penal Code and Section 4 of the POCSO Act. .
3. Case of the prosecution, in brief is that prosecutrix is about 16 years old. Prosecutrix had left her parental house because applicant threatened her, he took her in different places.
4. Learned counsel for the applicant submits that there is no

allegation against the applicant, prosecutrix had left her house voluntarily, the 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 antecedent against the applicant.

6. Looking to the facts and circumstances of the case, looking to the materials available on record against applicant, this Court finds that this is not a fit case where the applicant can be released on anticipatory bail.

7. Hence, the present anticipatory bail application is rejected.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE