

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5753 of 2018

Satish Dhruv S/o Rajesh Dhruv Aged About 22 Years R/o- Village Sukli, Police Station- Lormi, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through- Station House Officer, Police Station- Lormi, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Respondent

For Applicant : Shri Dheerendra Pandey, Advocate

For State : Shri Santosh Bharat, Panel Lawyer

S.B. : Hon'ble Mr. Justice Manindra Mohan Shrivastava

Order On Board

05/04/2019

Heard.

1. The applicant has been arrested in connection with Crime No.212 of 2017 registered at Police Station- Lormi, District – Mungeli (CG) for the alleged commission of offences under Sections 363, 366, 376 read with Section 34 IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the applicant kidnapped and committed rape on the prosecutrix who is stated to be minor in age.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated. The applicant and the prosecutrix were having an affair and later on, they married also. Therefore, under these circumstances, the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the application and submits that the trial is still pending and according to prosecution case and the school records, the prosecutrix on the date she was kidnapped by the applicant was 16 ½ years of age.
5. Taking into consideration the submissions of learned counsel for the parties,

taking into consideration the material available on record, at this stage, no case for grant of bail is made out.

6. The application is accordingly rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen