

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5451 of 2019**

- Sonu vishwakarma, aged about 23 years, S/o Raju vishwakarma, R/o Baigapara Jigarpur, Police Station & Tahsil - Kota, Civil and Revenue District Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station - Torwa, Tahsil, Civil & Revenue District Bilaspur (C.G.)

---- Respondent

For Applicant. : Shri Ratnesh Agrawal, Advocate.
 For Respondent. : Shri Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15/11/2019**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 21.05.2019 in connection with Crime No.155/2019 registered at Police Station : Torwa, District Bilaspur (C.G.) for the offence punishable under Sections 363, 366, 376 IPC and Section 6 of Protection of Children from Sexual Offences Act.
2. The allegation against the applicant is that on 04.05.2019 at about 5.00 am, the applicant after seducing the prosecutrix, aged about 15 years, for marriage, took her along with him to Maharashtra and committed forcible sexual intercourse with her.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He also submits that the applicant is in jail since 21.05.2019, the charge sheet has been filed, there is no likelihood of his case being decided in near future and, therefore, he may be released on bail.
4. On the other hand, State counsel opposes the bail application.
5. Complainant Bihari Banjare also present before this Court and opposed the bail application.
6. I have heard learned counsel for the parties and perused the record.
7. Considering the totality of the facts and circumstances of the case, and further considering that the prosecutrix appears to be minor, at this stage, I am not inclined to release him on bail.
8. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-

(Rajani Dubey)
Judge