

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7192 of 2019**

- Jaypal Rajput S/o Shri Ramkumar Rajput Aged About 24 Years R/o Village Bidbida, Thana - Sargaon, Civil And Revenue District Mungeli Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant.	:	Mr. Sunil Sahu, Advocate.
For Respondent/State	:	Mr. Vinod Kumar Tekam, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20.12.2019**

1. Pursuance to order dated 27.11.2019 of this Court, informant of the case namely, Bhukhu Singh Dhruv is present today. On being asked, he has made his objection regarding grant of bail to the applicant.
2. His presence be marked.
3. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 249/2019 registered at Police Station : Sargaon, District Mungeli (C.G.) for the offence punishable under Sections 363, 366 & 376 of IPC and Sections 4 & 6 of the Protection of Children From Sexual Offences Act, 2012.

4. As per the prosecution case, complainant/ Father of the prosecutrix, lodged a missing report of his daughter before the concerned police station. After investigation, she was recovered from the possession of applicant. After recording the statement of the prosecutrix, offence has been registered against the applicant and he has been arrested.
5. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that applicant is in jail since 07.10.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.
6. On the other hand, State counsel as well as complainant opposes the bail application and submits that on the date of commission of offence the prosecutrix was below 16 years.
7. I have heard learned counsel for the parties and perused the record.
8. Considering the totality of the facts and circumstances of the case, objection of the complainant, in particular the age of the prosecutrix, at this stage, I am not inclined to release him on bail.
9. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-
(Rajani Dubey)
Judge