

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9608 of 2018

- Vinod S/o Bodhan Rajwade Aged About 25 Years R/o Kewra Kataipara, Police Station Pratappur, District Surajpur Chhattisgarh, District : Surajpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Ajak Pratappur, District Surajpur Chhattisgarh, District : Surajpur, Chhattisgarh

---- Non-applicant

For Applicants	: Shri Anil Gulati, Advocate.
For Non-applicant	: Shri Washim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

15.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 182/2013 registered at Police Station – Police Station Ajak Pratappur, District Surajpur (C.G.) for the offence punishable under Section 363, 366, 376(2) of the Indian Penal Code and Section 3(2)(5) of SCST Act.
3. Case of the prosecution, in brief is that on 27.10.2012 prosecutrix was below 16 years of age. She is resident of village Kewra Katai. She is member of scheduled caste. Applicant is neither scheduled caste nor scheduled tribe. On 17.10.2012 applicant took her on pretext of marriage and committed sexual intercourse with her.
4. Learned counsel for the applicant argued that applicant has no criminal background, he is innocent, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Looking to the facts and circumstances of the case, looking to the age of prosecutrix at the time of alleged incident, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE