

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9940 of 2018**

Bhoku @ Om Prakash Yadav S/o Nandan Yadav Aged About 23 Years
R/o Village Kheli ,police Station ,patan District Durg Chhattisgarh.,
District : Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer Police
Station Patan ,district Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Respondent

For the Applicant	:	Shri Praveen Dhurandhar, Advocate
For the State	:	Shri Ashutosh Pandey, Panel Lawyer
For informant Vijay Kumar Sahu	:	Shri Rudranath Mukherjee, Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**18/03/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.77/2018 registered at Police Station Patan, District Durg (C.G.) for the offence punishable under Section 376 of IPC and Section 3/4 & 6 of POCSO Act.
3. Case of the prosecution, in brief is that on 01/05/2018 at about 12 p.m. at village Raveli, behind the Anganbadi applicant committed sexual intercourse with the prosecutrix which was 3 ½ years old.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

Sd/-

(Sharad Kumar Gupta)
Judge

Kamde