

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3574 of 2020

Ajay Ravi, S/o. Tunu Ram, aged about 22 years, R/o. Nilkanthpur, Police Station- Ramchandrapur, District Balrampur-Ramanujganj, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : Police Station Ajak, Balrampur, District Balrampur-Ramanujganj Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pushpendra Kumar Patel, Advocate
For Respondent/State	: Mr. Vimlesh Bajpai, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

04/08/2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.28/2019, registered at Police Station – Ajak Balrampur, District – Barampur- Ramanujganj (C.G.) for the offence punishable under Section 376 (D) of Indian Penal Code and Section 5 (G), 6 of the (Protection of Children from Sexual Offences Act) & Section 3 (2) (V) of S.C. & S.T. (Prevention of Atrocities) Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant. The applicant is in jail since 29.10.2019. Therefore, it is prayed that the applicant may be granted bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the age of the prosecutrix in this case is only 13 years and she has made clear statement against the applicant, therefore, no case is made out for grant of bail.
4. Prosecutrix/complainant is present before this virtual Court through Help Desk of this High Court and she has made statement that she has strong objection in grant of bail.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. As per the prosecution case, it is alleged that this applicant and one another co-accused both have committed the offence of gang rape with the minor prosecutrix of age only 13 years.
7. After considering on the submission and the facts of the case, this Court is of the opinion that present is not a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge