

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4388 of 2020**

- Guddu Vishwakarma S/o Shri Jaisingh Vishwakarma Aged About 21 Years R/o Village Aamabal Pandarapara, P. S. Bhanpuri, District Bastar Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Bodhghat, District (Jagdalpur) Bastar Chhattisgarh

---- Respondent

For Applicant	:-	Mr. Ashutosh Shukla, Advocate
For Respondent-State	:-	Mr. Gagan Tiwari, Dy.G.A.
For Complainant	:-	Despite service of notice, none appears.

Proceedings through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra**
Order On Board**16/09/2020**

1. Heard.
2. The applicant has preferred this application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.111/2020 registered in Police Station Bodhghat District- Jagdalpur Bastar C.G. for the

offence punishable under Sections 363, 366, 376 of the I.P.C. and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

3. The applicant has abducted and committed forcible sexual intercourse with the prosecutrix aged about 12 years. Although, in her 164 Cr.P.C. statement recorded on 26.05.2020, the prosecutrix is not making allegation of commission of rape but in her 161 Cr.P.C. statement recorded on 23.03.2020 she has made categorical statement that the applicant committed rape upon her.
4. Considering the age of prosecutrix, this Court is not inclined to grant bail to the applicant.
5. Accordingly, the bail application is rejected. However, liberty is reserved in favour of the applicant to move again after examination of the prosecutrix.

SD/-

(Prashant Kumar Mishra)
Judge

Ayushi