

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 4698 of 2020**

- Hasmukh Solanki @ Harsh @ Hanshu S/o Virendra Solnaki, Aged About 21 Years R/o Satanbada Infront Of Dakbangla, Police Station Satanbada, District Shivpuri (Madhya Pradesh)

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Ambikapur, District Surguja Chhattisgarh

---- Respondent

For Applicant	Mr. Anurag Singh and Mr. Aditya S. Gupta, Advocates
For Respondent/State	Mr. Vikram Sharma, Dy. GA

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****30/9/2020**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.91/2020 registered at Police Station Ambikapur District Surguja (CG) for the offence punishable under Sections 363, 366-A, 376(2)(ढ), 376(3) of the IPC and Section 5 (ढ), 6 of the Protection of

Children From Sexual Offences Act, 2012.

3. Although there appears to be an affair between the applicant and the prosecutrix but considering that the prosecutrix was less than 15 years of age on the date of the incident, her consent is immaterial, therefore, this Court is not inclined to release the applicant on regular bail.
4. Accordingly, the bail application is dismissed. However, liberty is reserved in favour of the applicant to revive the prayer after examination of the prosecutrix.

Sd/-

(Prashant Kumar Mishra)

Judge

Shyna