

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5139 of 2020**

Nagendra Dewangan S/o Shankar Dewangan Aged About 21 Years R/o Village Sirsi, Outpost Basdei, Tahsil Bhaiyathan, Police Station And District- Surajpur, Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Outpost Basdei, Police Of Police Station- Surajpur, District- Surajpur, Chhattisgarh

---- Respondent

For Applicant	:	None for the applicant
For State	:	Shri Alok Bakshi, Addl. A.G.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****05/11/2020**

1. The applicant is arrested in connection with Crime No.471/2018 registered in Police Outpost- Basdei, Police Station – Surajpur, District- Surajpur (CG) for alleged commission of offence under Sections 363, 366, 376 IPC and Sections 4 & 6 of the Protection of Children from Sexual Offences Act.
2. Case of the prosecution, in brief, is that the applicant abducted and committed rape on the prosecutrix who is stated to be minor in age.
3. As there is no representation on behalf of the applicant, the material on record was perused.
4. State counsel opposes the application and submits that though in statement under Section 164 Cr.P.C. nothing has been stated, in statement under Section 161 Cr.P.C., the prosecutrix has made specific allegation of sexual intercourse. He further submits that as per the school records, seized during investigation, date of birth of the prosecutrix is recorded as 4.10.2003.

5. Taking into consideration the above material on record, present is not a fit case for grant of bail.
6. The application is accordingly rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen