

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Order reserved on 30-09-2020

Order delivered on 08-10-2020

MCRC No. 5388 of 2020

1. Prem Joshi, Aged About 22 Years S/o Shri Khilawan Joshi
R/o Vill.- Medhesara, Police Station- Nandini, District- Durg,
Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through- Station House Officer, Police
Station Telibanda, District- Raipur, Chhattisgarh

---- Respondent

For Applicant	:- Mr. Y.C. Sharma, Advocate
For Respondent /State	:- Mr. Vikram Sharma, Dy. G.A.

(Proceedings through Video Conferencing)

Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

1. Heard.
2. The applicant has preferred this first bail application under Section 439 of CrPC, as he is arrested in connection with Crime No.453/2019, registered at Police Station Telibanda, District Raipur (CG), 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 abducted and committed forcible sexual intercourse with the prosecutrix, aged about 15 years, on promise to marry.

4. Learned counsel appearing for the State would oppose the bail application.
5. Although the prosecutrix has not objected to the bail application by appearing through the Video Conferencing (VC) Centre of DLSA, Raipur, but having seen the material available in the case diary as also her deposition and particularly considering the age of the prosecutrix, this Court is not inclined to grant bail to the applicant.
6. Accordingly, the bail application is rejected.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri