

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 7512 of 2021**

Vikram Nishad S/o Shri Pitamber Nishad, Aged about 19 years, Caste Kenwat R/o Dhanora, P.S. Guroor, Distt. Balod, Chhattisgarh.

---Applicant

Versus

State Of Chhattisgarh Through SHO Police Station Guroor, Distt. Balod, Chhattisgarh.

--- Non-applicant/State

For Applicant :- Mr. Vipin Tiwari, Advocate
For State :- Mr. Ravi Bhagat, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

20/12/2021

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. 199/2021, registered at Police Station – Guroor, District Balod (CG), for the offence punishable under Sections 354D, 363, 366-A, 376(2)(n), 294, 506, 323 of IPC and Sections 4, 5(1), 6, 8 of POCSO Act.
2. Case of the prosecution, in brief, is that the present applicant has committed sexual intercourse

with minor prosecutrix, thereby, he committed the aforesaid offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in the crime in question. He would also submit that the applicant is in jail since 02/07/2021 and charge-sheet has been filed, as such, the applicant be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicant and considering that the prosecutrix was minor on the date of the offence, I do not find it a fit case wherein the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Sanjay K. Agrawal)
Judge