

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8502 of 2020**

Lavkesh Kurre S/o Shri Rajendra Kurre Aged About 19 Years Caste Satnami
R/o Village Amartal, Bhathapara, Police Station Akaltara, Civil And Revenue,
District Janjgir Champa Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station
Akaltara, Civil And Revenue, District Janjgir Champa Chhattisgarh.

---- Respondent

For the Applicant : Shri Paras Mani Shriwas, Advocate.
For the Respondent/State : Shri Kunal Das, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****14.01.2021**

Heard.

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.227 of 2020, registered at Police Station – Akaltara, District – Janjgir-Champa, Chhattisgarh for the offence punishable under Sections 342 and 377 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 16.9.2020 and has been falsely implicated in this case because of the enmity with the complainant's side. The medical report of the victim does not support the prosecution case. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the statement of the victim and the other witnesses are clearly against this applicant. Hence, no case is made out for grant of bail to the applicant.

4. Heard counsel for both the parties and perused the case diary.

5. The prosecution case is that on the date of incident this applicant wrongly confined the minor victim, a boy of age 11 years and then committed unnatural carnal intercourse with him regarding which, the FIR has been lodged.

6. Considered the submissions. Learned Court below has observed that the act discloses the perverse mentality of the applicant and the same has been mentioned as ground of rejection of bail, I am of the same view that this applicant should not be granted regular bail during the pendency of the trial.

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

Sd/-

(Rajendra Chandra Singh Samant)
Judge