

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.9128 of 2020

- Ashish Khura, S/o Suresh Kumar Khura, Aged About 19 Years, R/o Type 2/542, S.S.N.M.D.C. Colony, Ward No.14, Bacheli, Post Bacheli, District Dantewada, Chhattisgarh (Detail is not mentioned in the impugned rejection order of the learned Court Below)

---- Applicant

Versus

- State of Chhattisgarh, Through - Station House Officer, Police Station Bacheli, District South Bastar, Dantewada, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Mr. P. K. Patel, Advocate
Mr. R. K. Bhagat, Dy. GA

None for the victim, though
served.

Hon'ble Justice Shri Sanjay K. Agrawal

Order On Board

19/05/2021

1. The applicant has preferred this first bail application under Section 439 of CrPC, as he is arrested in connection with Crime No.48/2020, registered at Police Station Bacheli, District South Bastar, Dantewada, for the offence punishable under Sections 363,

366-A & 376 of IPC and Section 6 of the POCSO Act.

2. The case of the prosecution in brief is that the present applicant has abducted the prosecutrix, the minor girl, and committed forcible sexual intercourse, thereby committed the offence.
3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. The applicant is in jail since 10.10.2020, the charge sheet has already been filed and the trial is likely to take some time, as such the applicant may kindly be released on bail.
4. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence and considering the fact that the prosecutrix is a minor girl, I do not consider the present to be a fit case for grant of bail to the applicant.
5. Accordingly, the bail application is rejected.

Sd/-
Sanjay K. Agrawal
Vacation Judge