

Surajbhan Singh Vs State Of Chhattisgarh

Court: Chhattisgarh High Court

Date of Decision: June 27, 2018

Acts Referred: Indian Penal Code, 1860 " Section 363, 376(2)(N)

Code Of Criminal Procedure, 1973 " Section 439

Protection Of Children From Sexual Offences Act, 2012 " Section 4, 6, 10

Hon'ble Judges: Sharad Kumar Gupta, J

Bench: Single Bench

Advocate: Shalvik Tiwari, K. Tripti Rao

Final Decision: Dismissed

Judgement

Sharad Kumar Gupta, J

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending

before any other court.

2. The applicant has been arrested in connection with Crime No. 87/2017 registered in police station Manendragarh, Distt. Koriya (CG) for offence

punishable under Sections 363, 376(2)(N) of the IPC and Sections 4, 6 and 10 of the Prevention of Children from Sexual Offence Act, 2012.

3. Perused the case diary.

4. Prosecution story in brief is that at the time of alleged incident, the prosecutrix was 17 years and 10 months old. She is resident of village Kasitola,

PS Janakpur. On 14-8-2017, the applicant took her away by enticing from the custody of her lawful guardian and committed the offence.

5. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the

society, this Court is not inclined to grant bail to the applicant.

6. Consequently, the MCRC is dismissed.