

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 4858 of 2020**

- Narayan Miri @ Nillu S/o Samaru Aged About 22 Years R/o Village Pataibandh, Police Station Rajim, District Gariyaband Chhattisgarh

**---- Petitioner****Versus**

- State Of Chhattisgarh Through Its Police Station Magarload, District Dhamtari Chhattisgarh

**---- Respondent**

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For Applicant  
For Respondent /State

Mr. Rekhraj Baghel, Advocate  
Mr. Vikram Sharma, Dy. GA

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**Proceedings through Video Conferencing****SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****30/9/2020**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.78/2020 registered at Police Station Magarload, Civil and Revenue District Dhamtari (CG) for the offence punishable under Sections 363, 366, 376 of the IPC and Sections 4, 6 of the Protection of Children From Sexual Offences Act, 2012.

3. The applicant abducted the prosecutrix and despite her unwillingness, took her to various places and performed sexual intercourse. The prosecutrix being less than 18 years of age, her implied consent would not help the applicant at this stage.
4. Considering the entire facts situation of the case, this Court is not inclined to release the applicant on regular bail.
5. Accordingly, the bail application is dismissed with liberty to the applicant to revive the prayer after examination of the prosecutrix.

Sd/-

**(Prashant Kumar Mishra)**

Judge

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