
(2021) 07 MP CK 0186

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No.36481 Of 2021

Rahul Lodhi

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 27-07-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Indian Penal Code, 1860 — Section 363, 366A, 376(2)(N), 506

Protection Of Children From Sexual Offences Act, 2012 — Section 5(L), 6

Citation : (2021) 07 MP CK 0186

Hon'ble Judges : Rajeev Kumar Dubey, J

Bench : Single Bench

Advocate : Ramesh Kumar Tamrakar, Ramesh Kumar Tamrakar

Final Decision : Dismissed

Judgement

Rajeev Kumar Dubey, J

This is second application filed under Section 439 of the Cr.P.C. for grant of bail. Applicant Rahul Lodhi was arrested on 23.05.2021 in connection

with Crime No.193/2021 registered at Police Station Naryavali, District Sagar for the offence punishable under Sections 363, 366A, 376(2) (N), 506 of

IPC and Section 5(L)/6 of POCSO Act.

The first bail application of the applicant has been dismissed as withdrawn by this Court vide order dated 23.06.2021 passed in

M.Cr.C.No.29621/2021.

As per the prosecution case, on 22.05.2021 applicant abducted the prosecutrix, who was minor, on the pretext of marriage and thereafter he sexually

exploited her.

Learned counsel for the applicant submits that the applicant is innocent and has

falsely been implicated in the offence. The applicant is a young boy.

Charge sheet has been filed. The applicant has been in custody since 23.05.2021 and conclusion of trial will take time, hence it is prayed that the

applicant be released on bail.

Learned counsel for the State opposed the prayer and submitted that applicant abducted a minor girl and sexually exploited her, so he should not be

released on bail.

Looking to the facts and circumstances of the case and the allegation that applicant abducted a minor girl on the pretext of marriage and sexually

exploited her, this Court is not inclined to grant bail to the applicant, at this stage.

Hence, the bail application is hereby dismissed. However, the applicant shall be at liberty to revive his prayer for grant of bail after recording the

statement of the prosecutrix.