

HIGH COURT OF CHHATTISGARH, BIL

Order Sheet

MCRCA No. 1120 of 2015

- Ramdayal Rajwade, S/o Dharampal Rajwade Aged About 41 Years R/o Village Rakeya, P.S. Charcha, Tahsil Baikunthpur, Civil & Rev. Distt. Korea, Distt. Korea, Chhattisgarh.

---- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, P.S. Charcha, Distt. Korea, Chhattisgarh.

---- **Respondent**

20.11.2015	Mr. Sameer Singh, counsel for the applicant. Mr. Anant Bajpai, Panel Lawyer, for the State. Apprehending arrest in connection with Crime No.111/2015 registered at P.S. Charcha Distt. Korea (C.G) for the offence punishable u/ss 450 and 376, the applicant has filed this application u/s 438 Cr.P.C. As per the prosecution story, the prosecutrix who is a widow lodged a report that on 21.09.2015 the applicant forcibly entered in her house and thereafter committed sexual intercourse with her, thereby the offence is committed. Learned counsel for the applicant submits that there was previous enmity between the the applicant and the relatives of the prosecutrix , for which initially a report was made whereby the applicant was assaulted and he was hospitalised. He further submits that the brother in law of prosecutrix has assaulted the applicant and as a counter blast this false report has been made by the prosecutrix . Per contra, learned State Counsel opposes the bail and submits that according the statement of prosecutrix, she was subjected to forcible rape and the applicant has past incidents as he was convicted and and suffered sentence under Section 302 IPC and one criminal case is	

<i>Rao</i>	also pending against him. I have gone through the case diary and other statements. Considering the statements of case diary, I am not inclined to release the applicant on bail. Accordingly, this anticipatory bail application is dismissed. Sd/- GOUTAM BHADURI JUDGE	
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