

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6586 of 2015

Shambhu Nath S/o Budhram Aged About 24 Years Caste-Gadava
R/o Gadvapara Vill. Pushpal, P. S. - Parpa Distt. Bastar
Chhattisgarh, Civil & Revenue Distt. Bastar (Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Frezarpur Distt.
Bastar Chhattisgarh, Civil & Revenue Distt. Bastar (Chhattisgarh)

---- Respondent

For applicant - Shri Vikash Shrivastava, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

2/12/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.116/2015 registered in Police Station Frezarpur Distt. Bastar for offence punishable under section 363, 366, 376 of the Indian Penal Code and Section 6 of Langik Apradhon Se Balkon Ka Sanrakshan Adhiniyam 2012.
2. As per the prosecution case the applicant abducted the prosecutrix who is minor and on the promise to perform marriage committed forceful rape on her.
3. Learned counsel for the applicant submits that prosecutrix is a girl of 17 years and she was able to understand the facts and on two occasions on 23/06/2015 and 30/06/2015 similar type of incident repeated which goes to show that prosecutrix is in relation with the applicant and only because of the fact the applicant did not perform marriage, report was made. Therefore, learned counsel prays for release of the applicant

on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. I have gone through the statement of the prosecutrix recorded under Section 161 and 164 of Cr.P.C. wherein offence is said to have been committed, therefore this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE