

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No.952 of 2015**

Parmanand Yadav S/o Natho Ram Yadav Aged About 55 Years Caste Mahkul, Occupation Government Service, R/o Village Mudapara, Police Station & Tah.- Pathalgaon, Rev. And Civil Distt. Jashpur Chhattisgarh.

---- Petitioner

Versus

State Of Chhattisgarh Through Station House Officer, Pathalgaon, Rev. And Civil Distt. Jashpur Chhattisgarh.

---- Respondent

For Petitioner	:	Shri Surfaraj Khan, Advocate
For Respondent/State	:	Shri Vinod Tekam, Panel Lawyer

Order On Board**28/09/2015**

The applicant is apprehending his arrest in connection with Crime No.202/2015 registered at Police Station–Pathalgaon, District Jashpur (CG) for alleged commission of offence under Section 294, 506-II, 323, 342, 376 of IPC.

2. Prosecution case is that the applicant took the prosecutrix away in his vehicle and committed rape on her.

3. Learned counsel for the applicant submits that even according to the prosecutrix, she was enjoying vehicle ride from morning to evening with the applicant, therefore, present is clearly a case of consent and in fact, dispute between the prosecutrix and applicant relates to payment and the prosecutrix is a paid sex worker.

4. On the other hand, learned State counsel opposes the bail application by submitting that according to the prosecutrix, the applicant misused the liberty and she was taken to lonely place and rape was committed on her. Medical evidence as also torn clothes of the prosecutrix prima facie make out a case against the applicant. It is

lastly submitted that the prosecutrix has lodged report promptly on the very next day.

5. Taking into consideration the submission of learned counsel for the parties and the nature and gravity of allegation, I am not inclined to grant anticipatory bail to the applicant.

6. Accordingly, the application is rejected.

Sd/-
Manindra Mohan Shrivastava
Judge