

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1340 of 2015**

Santosh Choudhary S/o Pokharaj Choudhary Aged about 25 years R/o Salaiya P.S. Barkatta, Distt.- Hajaribag (Jhharkhand) Present R/o Patarapali Transport Nagar Raigarh Post, Tah. & Distt.- Raigarh (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through: Police Station- Kotara Road, Raigarh Tah & District- Raigarh (C.G.)

---- Non-applicant

For Applicant.	Shri Vineet Kumar Pandey, Advocate.
For Non-applicant/State.	Shri Sangharsh Pandey, Dy. G.A. for the State.

Hon'ble the Vacation Judge**Order On Board****18/05/2015**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.21/2015, registered in Police Station Bhupadevpur, Tahsil & District- Raigarh (C.G.) for offence under Sections 363, 366, 376 of IPC and under Section 3 & 4 of Protection of Children from Sexual Offence Act, 2012.
2. The applicant has allegedly committed forcible sexual intercourse with the prosecutrix aged less than 18 years on promise to marry.
3. Learned counsel for the applicant would submit that from the contents of FIR, her case diary statement and statement under Section 164 Cr.P.C., it would appear that the prosecutrix was a consenting party.
4. Learned State counsel would oppose prayer for grant of bail.

5. Considering the entire facts and circumstances of the case, this Court is not inclined to release the applicant on bail at this stage. Accordingly, prayer for grant of bail is rejected. However, the applicant would be at liberty to revive his prayer before this Court after examination of the prosecutrix.

Vacation Judge

Rekha/amita