

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C(A) No. 1174 of 2015**

Khidmat Singh Rathiya, S/o. Shashiram Rathiya, aged about 35 years, R/o of village Seetapur, Police Station and Post Seetapur, Civil and Revenue District Surguja (C.G.)

----Applicant

Versus

State of Chhattisgarh Through Police Station Seetapur, District Surguja Chhattisgarh.

---- Respondent

For Applicant	:-	Shri Manoj Paranjpe, Advocate.
For Respondent/State	:-	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order on Board**

27/11/2015

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending her arrest in connection with Crime No. 216/2015, registered at Police Station –Seetapur, District – Surguja (C.G.) for offence punishable under Sections 376,342,506 of IPC.
2. As per the prosecution case, on 27.09.2015 the applicant called the prosecutrix at his home for teaching and suddenly the applicant started misbehaving with the prosecutrix. The behavior of the applicant was indecent and immoral and he closed the door of the room and tried to outrage her modesty and forcefully committed rape on the prosecutrix.
3. Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case. He further submits that the prosecutrix was residing with the applicant and because of some dispute a false complaint made against the applicant.
4. Learned State counsel opposes the prayer for grant of bail.

5. I have gone through the case diary as also statement of the prosecutrix and the other statement. Having regard to the same, I am not inclined to extend benefit of anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
JUDGE

Santosh