

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6894 of 2015

Dev Vrat Dhruw S/o Ganga Ram Dhruw, Aged About 27 Years Caste - Gond (St), R/o Village - Bendkura, Police Station - Gariyaband, District - Gariyaband (Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh Through Police Station - Gariyaband, District - Gariyaband (Chhattisgarh)

---- Respondent

For applicant - Shri Mohammed Afroz Athar, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/12/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 105/2015 registered in Police Station Gariyaband, R. Distt-Gariyaband C. Distt. Raipur for offence punishable under section 376 (d), 506 of IPC.
2. As per the prosecution case applicant along with other co-accused on the pretext of threat committed forceful sexual intercourse with the prosecutrix and also threatened her that if she discloses the fact she would be killed and further she was also assured that she will be paid Rs.500/- per month expenses.
3. Learned counsel for the applicant submits it is a not a case of gang rape and only amount of maintenance was demanded and it was refused, therefore false report has been made, therefore he prays for release of the applicant on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. I have perused the statement of the prosecutrix. In the statement of the prosecutrix applicant has been named along with co-accused that she was subjected to forceful rape. Considering the statement of the prosecutrix, 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