

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 4051 of 2016**

Narayan Yadav, S/o Shri Sita Ram Yadav, Aged About 21 Years,  
R/o Village Bhasera, P.S. Fingeshwar, District Gariyaband,  
Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh Through P.S. Fingeshwar, District  
Gariyaband, District Chhattisgarh.

**---- Respondent**

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For applicant - Shri Devershi Thakur, Advocate.  
For Respondent/State – Shri Neeraj Sharma, Dy. G.A.

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**26/07/2016**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.44/2015 registered in Police Station Fingeshwar Dist: Gariyaband (C.G.) for offence punishable under sections 363, 366, 376 of Indian Penal Code and u/s 3(2)(5) & 3(2)(12) of POCSO Act.
2. As per the prosecution case, on 21/02/2015 the applicant told the prosecutrix that her father is calling her and took her to different place and thereafter to the house of Dujram, while she was kept there, she has been raped.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and there has been lot of discrepancies has come up on record and perusal of the statement of the prosecutrix would show that no case is made out, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of the prosecutrix. After reading of the statement it will not be proper for this court to give finding at the stage of bail to evaluate entire evidence by picking up few lines. It is for the trial court to adjudicate the same after the evidence in all aspect are complete. Considering statement of the prosecutrix in examination in chief, 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