

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4267 of 2016

- Rajan Alias Rajeno Mohanand S/o Madan Mahanand Aged About 28 Years R/o R. V. H. Colony, Near School, Khamtarai, District - Raipur Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh Through P.S. - Khamtarai Raipur Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Vikram Singh, Advocate
For the Respondent	:	Mr. Lav Singh, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.08.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 11/2016 registered at P.S. Khamtarai, Raipur (C.G) for the offence punishable under Section 376 IPC & Section 4 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, a report was made by the victim that for the last two months prior to the date of incident i.e., 05.01.2016 the applicant who is brother in law has sexually exploited her and on 05.01.2016 he tried to commit forcible sexual intercourse. It is further alleged that she was abused and assaulted and therefore the report was made on 06.01.2016.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated; the FIR is delayed by two months and the MLC report also do not support the case of prosecution, therefore, the applicant may be enlarged on bail

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of the minor victim recorded u/ss 161 & 164 Cr.P.C. In both the statements positive allegations have been made against the applicant. Therefore, I am not inclined to release the applicant on bail. Accordingly, the bail application is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**

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