

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7244 of 2015

1. Anand Mishra, aged about 34 years, S/o. Mr. Rajmani Mishra, R/o. Amleedih, in front of Saint Josef School, P.S. - New Rajendra Nagar, Tehsil and District – Raipur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Police Station – Mana Camp, Raipur, District – Raipur (C.G.)

---- Respondent

For Applicant	: Mr. B.P. Sharma, Advocate
For Respondent/State	: Mr. Anant Bajpai, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04/01/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.185/2015, registered at Police Station – Mana Camp, Raipur, District – Raipur (C.G.) for the offence punishable under Section 376, 342 of I.P.C.
2. Case of the prosecution, in brief, is that the victim/prosecutrix who is the employee of the applicant went alongwith the applicant in the car for business deal and while coming back, the applicant committed forceful rape with the prosecutrix.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that the medical report do not support the case of the prosecution. He would further submit that the applicant is in jail since 13.10.2015 and therefore, he prays that the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. I have perused the statement of the prosecutrix, which supports the case of the prosecution. Considering the statement of the prosecutrix I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Balram