

COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C. (A) No. 1317 /2015

Raituraman Thakur, S/o. Shri Kamlochan Thakur, Aged About 28 Years,
R/o. Housing Board Colony, Jagdalpur, Distt. Bastar, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station- AJAK, Jagdalpur, Distt.
Bastar, Chhattisgarh.

---- Respondent

For Applicant : Mr. Alok Kumar Dewangan, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08/02/2016

1. Apprehending arrest in connection with Crime No.03/2015 registered at Police Station- AJAK, Jagdalpur, District Bastar (C.G.) for the offence punishable under Section 376, 493, 294, 506 of IPC and 03(01)(12) of the Atrocity Act, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, the applicant allured the prosecutrix and thereafter on the pretext of marriage committed sexual intercourse. Subsequently, when the applicant refused to marry her and thereafter after marriage of the applicant, a report was made.
3. Learned counsel for the applicant submits that the prosecutrix was married to one Santosh Yadav and he relied on certain documents which were filed along-with the application and stated that the applicant has been falsely implicated in this case, therefore, he may be enlarged on anticipatory bail.
4. The documents were directed to be verified by the State and the State counsel after verification came with a submission that the

false documents have been prepared and the prosecutrix was never married to one Santosh Yadav. Therefore, the State counsel opposes the prayer for grant of anticipatory bail.

5. Perused the case diary and the statements. Taking into the allegations made that on the pretext of marriage, the prosecutrix was subjected to forceful sexual intercourse and she was further subjected to abortion and the applicant thereafter refused to marry her, I am not inclined to enlarge the applicant on anticipatory bail, as perusal of the case diary would indicate that it is not a case wherein it can be assumed that custodial interrogation may not be required.
6. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge