

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 3451 of 2016**

Virendra Kumar Verma, S/o. Tekram Verma, Aged About 20 Years, R/o. New Anand Nagar Bhanpuri, Police Station Khamtarai, District Raipur, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through Station House Officer, Police Station Khamtarai, District Raipur, Chhattisgarh.

**---- Respondent**

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For Applicant : Mr. C.R.Sahu, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**11.07.2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.103/2016 registered at Police Station- Khamtarai, District Raipur (C.G.) for the offence punishable under Section 363, 366, 376 of Indian Penal Code and Section 4 of Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that a missing report was made by Gopal Verma that her daughter Deepti Verma was missing and subsequently she was recovered from the possession of the present applicant and on enquiry, it was revealed that the victim who was minor aged about 17 years was subjected to forceful rape while she was kept in the house of the Aunt of the applicant.
3. Learned counsel for the applicant would submit that along-with the applicant and victim one other person Devendra Sahu had went to

some temple and thereafter they went to the house of Aunt of the applicant and therefore she was a consenting party to the entire incident and, as such, no offence is made out, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the victim recorded under Section 161 & 164 of Cr.P.C. wherein she has supported the happening of the incident by the present applicant. Considering such statement, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-  
**(Goutam Bhaduri)**  
Judge