

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.2499 of 2016

Ramnath S/o Mukundram Yadav, Aged about 25 years, Occupation-
 Masons, R/o. Village-Samaruma P.S. Punjipathara, Tah-Tamanar, District-
 Raigarh (CG)

---Applicant

Versus

State of Chhattisgarh Through: Police Station–Gharghoda, District-
 Raigarh (CG)

---Non-applicant

For Applicant	:	Mr. Vineet Kumar Pandey, Advocate
For Non-applicant	:	Mr. B. Gop Kumar, Dy.A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

1/6/2016

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 on 10.3.2016 in connection with Crime No.68/2016, registered at Police Station-Gharghoda, District-Raigarh (CG), for the offence punishable under Sections 450, 376 and 506 of the IPC.

2. Case of the prosecution, in brief, is that the applicant entered into the house of the prosecutrix and committed rape with her on the threat of her life.

3. Learned counsel for the applicant submitted that the applicant has falsely been implicated by the prosecutrix. It is wholly improbable that in presence of other family members, the applicant could commit rape with the prosecutrix. Learned counsel further submitted that husband of the prosecutrix arrived at the spot and he having seen the applicant and

the prosecutrix in compromising position, made allegation against his own wife and the prosecutrix in order to save herself from these allegations lodged report. Learned counsel also submitted that report has been lodged after five days of the incident.

4. On the other hand, learned counsel for the State opposed the prayer for grant of bail and submitted that according to the prosecutrix, on the threat of her life the applicant entered into her house and committed rape with her.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Considering the aforesaid submissions made by learned counsel for the parties and material available in the case diary, I do not find any ground for grant of regular bail to the applicant. Consequently, bail application filed on behalf of the applicant is rejected.

Sd/-

(Manindra Mohan Shrivastava)
VACATION JUDGE

B/-