

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2807 of 2016

Manoj Kumar Sao S/o Shri Bangali Sao Aged About 40 Years R/o House No. 725/726, Housing Board Colony, Kohka, Thana Supela, Tehsil Durg, Civil & Revenue District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Supela (As Per Charge Sheet), Civil & Revenue District Durg, Chhattisgarh.

---- Respondent

For applicant – Shri Punit Ruparel, Advocate.

For Respondent/State – Shri Neeraj Kumar Sharma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/06/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 174/2016 registered in Police Station Supela, District Durg (C.G.) for offence punishable under Section 376 of IPC and Section 5, 6 of Protection of Children from Sexual Offences Act.
2. As per the prosecution case on 11th January, 2016 prosecutrix came to the house of her sister. Subsequently, on 16/02/2016 in the night the applicant caught hold of the prosecutrix who was a minor and committed forceful sexual intercourse. Subsequently, it was also repeated by him on 18/02/2016 in front of his wife. Therefore, report was made.
3. Learned counsel for the applicant would submit that applicant has been falsely implicated and because of the family dispute false report has been made and no offence has been committed by him which would be

evident from the affidavit given by wife of the applicant filed along with the bail petition. Therefore, learned counsel submits that the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. I have perused the statement of the victim under Section 161 and 164 of Cr.P.C. as also the statement of the wife of the applicant under section 161 of Cr.P.C. They have all supported happening of the incident. Taking into such fact, I am not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-
(Goutam Bhaduri)
JUDGE