

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4631 of 2016

Ashok Sao S/o Lalkeshwar Sao, Aged About 25 Years R/o Sanjay
Nagar Supela, P.S. Supela Bhilai Tahsil & Distt. Durg Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : - Police Station Aarakshi Kendra
Supela, Distt. Durg Chhattisgarh

---- Respondent

For applicant - Shri Arvind Dubey, Advocate.
For Respondent/State – Shri Lav Sharma, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

17/08/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 496/2016 registered in Police Station Supela Dist. Durg (C.G.). for offence punishable under section 363, 366, 376 and 506 of IPC and Section 5 (घ) of POCSO Act.
2. As per the prosecution case, a report was made by mother of the prosecutrix that the applicant enticed the minor girl from the lawful custody of her parents and thereafter committed rape on her. During investigation statement of the girl was recorded who is said to be minor wherein she has stated that the applicant has put vermilion on her forehead and thereafter committed sexual intercourse.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated, when wife of the applicant came thereafter report was made, earlier to it report was not made and the applicant has been falsely implicated in the case, therefore, the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of the girl aged about 15 years under Section 161 and 164 of Cr.P.C. It appears that the applicant was married person. Considering the statement, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE