

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6407 of 2016

Ishwar Lahri S/o Dujram Lahri Aged About 22 Years R/o Maraud, Police Station
& Post Kurud, Tahsil Kurud, District Dhamtari Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Kurud, District Dhamtari
Chhattisgarh

---- Respondent

Shri Kunal Das, counsel for the applicant/s.
Shri D.R.Minj, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

25/10/2016

The applicant has been arrested on 21/08/2016 in connection with Crime No.373/2016 registered at Police Station – Kurud, District - Dhamtari (CG) for alleged commission of offences under Section 341, 342 and 354 of IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution is that while the prosecutrix was going on road, the applicant, who always used to tease her, got the occasion to caught hold of her by her wrist and it is alleged that she was dragged into the room and thrown on the cot and thus, outraging her modesty.

3. Learned counsel for the applicant submits that the allegations are false. He submits that on the same day, in respect of the same incident, an FIR was lodged by the father of the applicant alleging that the relatives of the prosecutrix caught hold of the applicant and making allegations of applicant teasing their daughter, assaulted him. It is further submitted that the applicant is being implicated because the applicant, at one point of time, had restrained the prosecutrix and her relatives from unauthorizedly taking away vegetables grown in the kitchen garden.

4. On the other hand, learned State counsel submits that the prosecutrix, in her statement under Section 164 CrPC, has clearly stated that while she was going on road, she caught hold by the applicant and thrown on the cot inside the room, thus outraging her modesty.

5. Considering the nature of allegations and the statement of the prosecutrix, I am not inclined to grant bail to the applicant at this stage. The application is therefore rejected. However, in case, there is delay in trial, the applicant may revive this application.

**Sd/-
(Manindra Mohan Shrivastava)
Judge**