

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7578 of 2015

Dilip Soni S/o Late Nandkishore Soni Aged About 40 Years R/o
Village Uraidabri, P.S. Chichola, Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Dongargarh,
Distt. Rajnandgaon, Chhattisgarh.

---- Respondent

For applicant - Shri P. Acharya,, Advocate.
For Respondent/State – Shri Vivek Singhal, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

13/01/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Criminal Case No.791/2015 registered in Police Station Churia Rajnandgaon for offence punishable under section 498-A, 377, 294, 323, 506 of Indian Penal Code.
2. As per the prosecution case the victim who is married second wife was subjected to immense torture by the applicant and she was subjected to unnatural sexual intercourse as also applicant used to commit unnatural act and unnatural thing, therefore the complaint was made.
3. Learned counsel for the applicant submits that applicant has been falsely implicated in this case and applicant is second husband and on earlier occasion too on the same ground the divorce was obtained and he submits that only general allegations have been made, therefore 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. wherein it is stated that she was subjected to assault by

club and by belt and further by way of plier hands were being pressed and applicant used to pass stool on the hand of the victim and was forced to apply on her face and further was forced to put ring on the private part. He used to spit over the body and was subjected to oral sex. Considering the statement of the victim, 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