

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5050 of 2016

Jeevanlal, S/o Posanlal, Aged About 45 Years R/o Mill Para, P.S.
Durg, District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Incharge, P.S.
Aarakshi Kendra, Durg, District Durg, Chhattisgarh.

---- Respondent

For applicant - Shri Rudra Nath Mukherjee, Advocate.
For Respondent/State – Ms. Shobha Kashyap, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

31/08/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.196/2015 registered in Police Station Aarakshi Kendre, Durg, Dist. Durg (C.G.) for offence punishable under sections 363, 342, 376, 511 of IPC and 4 of POCSO Act.
2. As per the prosecution case, on 8/03/2015 complainant Sunita Sahu and her daughter aged about 11 years were in the house. While her daughter was going to the house of Mala and when she reached near the house of Laxmi Patel, applicant caught hold of her hand and took her inside and tied her with the chair and removed her under garments wherein she raised alarm in resistance, at that time applicant freed her and she came out of the house and narrated the incident to Durga Yadav.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that seizure of stool and scarf has been made wherein in FIR it is stated that the victim was tied by saree into the chair, therefore false allegations have been attributed, 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 victim under Section 161 and 164 of Cr.P.C. Considering her statement and age of the victim appears to be 11 years, this court is not inclined to release the applicant on bail.
6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE