

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5674 of 2016

Laxman Khande S/o Chandu Lal Khande, Aged About 30 Years,
Caste Satnami, R/o Baghel Kapa, P. S. Takhatpur, District Bilaspur
(Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Officer, Police
Station Kota, District Bilaspur (Chhattisgarh).

---- Respondent

For applicant - Shri Rajeev Kumar Dubey, Advocate.
For Respondent/State – Ms. Shobha Kashyap, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

23/09/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.250/2015 registered in Police Station Kota, District Bilaspur (C.G.) for offence punishable under sections 307, 376, 394 of Indian Penal Code.
2. As per the prosecution case, a report was made by the prosecutrix that while she was going in the auto of the present applicant, she was forcefully taken into the forest alongwith the children and thereafter the applicant committed forceful sexual intercourse and looted the ornaments when she became unconscious after consuming the biscuit.
3. Learned counsel for the applicant submits that after that prosecutrix has been examined before the court and the entire sequence has been made but no offence has been attributed to the applicant and she has not supported the case of the prosecution. Therefore, learned counsel submits that the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the prosecutrix wherein she has though denied the incident of rape and assault on her head by the stone but the

fact of loot has been narrated. In view of this, it would not be proper for this court to give finding by evaluating the evidence. It is for the trial court to evaluate the same when entire evidence is brought on record. Considering the facts and circumstances of the case, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE