

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6040 of 2016

Ramadhar Sahu S/o Dwarika Prasad Sahu, Aged About 35 Years,
R/o Tenduwa, Police Station Patna, District Korea, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Of
Police Station Patna, District Korea, Chhattisgarh.

--- Respondent

For applicant - Shri Anil Gulati, Advocate.

For Respondent/State – Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

3/10/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.101/2016 registered in Police Station Patna, District-Korea (C.G.) for offence punishable under sections 376, 376(2)(८) (३) of Indian Penal Code.
2. As per the prosecution case, on 18/05/2016 the prosecutrix alongwith her son while was returning to her home, at that time the applicant came there and offered them to drop to their home. At that time one more person came with him, the son went alongwith him and the prosecutrix went alongwith the applicant and thereafter she was taken to a lonely place and the applicant committed sexual intercourse.
3. Learned counsel for the applicant submits that the victim was aged about 37 years and she herself has boarded to the motorcycle of the applicant and she went alongwith the applicant and she was a consenting party, therefore false allegations have been attributed, therefore applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the document and the statement of the doctor also which

shows that prosecutrix is also mentally not completely sound. Considering statement under Section 161 and 164 of Cr.P.C., this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE