

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7490 of 2016

- Raju Datta S/o Rajesh Datta, Aged About 30 Years R/o Parwati Nagar, Police Station Pandari, Raipur, District (Revenue & Civil) Raipur, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Pandri, District Raipur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Yogesh Pandey, Advocate
For the Respondent	:	Mr. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.11.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 206 of 2016 registered at P.S. Pandri, Distt. Raipur (C.G) for the offence punishable under Sections 394, 365, 34 of IPC.
2. As per the prosecution case, on 02.08.2016 complainant Vikcky Vedkar was sitting on road along-with a girl. At that time, the present applicant alongwith Ashok Mandal and Shankar Behra came there, assaulted the victim and accused Ashok snatched the key of motorcycle and applicant Raju assaulted the girl and they forcibly made the girl to sit on the motorcycle. Thereafter, the accused took the girl to a lone place where the girl taking the advantage of darkness fled away. It is alleged that the present applicant sat on the motorcycle behind the girl while the girl was being forcibly taken away, thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the

applicant has been falsely implicated and the present applicant was only sitting behind the girl while she was being taken on motorcycle, therefore, the entire allegations have been attributed to Ashok Mandal. He further submits that the applicant is in jail since 03.08.2016 and he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of the victim as also the statement of the girl.
6. Taking into the degree of allegations levelled against the applicant, I am not inclined to release him on bail. Accordingly, this bail application is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**