

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8007 of 2016

Lokesh @ Dadu Baghel S/o Shri Bhojraj Baghel Aged About 19 Years Caste- Satnami,
R/o Sukrawari Bajar, Indira Nagar, Beergaon, Police Station Urla, Tahsil & District
Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Urla, District
Raipur, Chhattisgarh.

---- Respondent

Shri Malay Kumar Bhaduri, counsel for the applicant/s.
Shri D.R.Minj, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/12/2016

Heard.

The applicant has been arrested in connection with Crime No.85/2016 registered at Police Station – Urla, District - Raipur (CG) for alleged commission of offences under Section 363, 366, 376 of IPC and Section 4, 6 and 8 of the Protection of Children from Sexual Offences Act, 2012 (for short “the POCSO Act”).

2. Case of the prosecution is that the applicant kidnapped a minor girl and committed rape on her. The age of the prosecutrix is stated to be 13 years.
3. Learned counsel for the applicant submits that the allegation against the applicant is false because the medical evidence does not support the allegation of repeated sexual intercourse with her.
4. On the other hand, learned State counsel opposes bail application and submits that in the statement under Section 164 CrPC, the prosecutrix has clearly stated that while she was taken by the applicant, she was put in the state of unconsciousness and she was subjected to sexual intercourse.

5. Taking into consideration the submission of learned counsel for the parties and statement of the prosecutrix, I am not inclined to grant bail to the applicant. The application is therefore rejected.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Deepti