

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1029 of 2017

Rameshwar Sahu S/o Krishna Sahu Aged About 19 Years R/o Village-
Dewada Police Station-Berala, District-Bemetara, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station-Berala, District-Bemetara,
Chhattisgarh.

---- Respondent

For Applicant	:	Shri A.K. Yadav, Advocate
For Respondent/State	:	Shri D.R. Minj, Dy. G.A.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

21/02/2017

Heard.

1. The applicant has been arrested in connection with Crime No.186 of 2016 registered in Police Station- Berala, Revenue & Police District Bemetara (C.G.) for the alleged commission of offence under Sections 363, 366-A, 376 of IPC and Section 5(1), 6 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution is that the applicant kidnapped the minor girl and thereafter committed rape on her.
3. Learned counsel for the applicant submits that the prosecutrix has now been examined before the Court and therefore, at this stage, he may be granted bail. Further submission is that the prosecutrix is not very firm in her statement and has made contradictory statement in her cross-examination. Therefore, the case of the prosecution has become highly doubtful.
4. On the other hand, learned State counsel has opposed the prayer for grant

of bail and submits that when the Court clearly put a question to the prosecutrix, she has clearly stated that she was subjected to sexual intercourse by the applicant.

5. Taking into consideration the nature and gravity of allegation, I am not inclined to grant bail to the applicant. The bail application is, therefore, rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Rekha