

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC (A) No. 885 of 2017**

Laxmikant Shukla S/o Shri Hanuman Prasad Shukla, aged 27 years,
R/o Ware House Road, Mahamaya Vihar, PS Civil Lines, Bilaspur (CG).

-----Applicant

Versus

State of Chhattisgarh Through District Magistrate, Durg, Distt. Durg
(CG).

---- Respondent

For Applicant	:	Shri VC Ottalwar, Advocate.
For Respondent	:	Shri Gary Mukhopadhyay, Dy. GA.

Hon'ble Shri Justice P. Sam Koshy**Order On Board**

29/11/2017

1. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.392 of 2017 registered at Police Station Out Post Jevra Sirsa, PS Pulgaon, Distt. Durg, for the offence punishable under Section 376 IPC and Section 3(2)(5) of the ST & SC Act.
2. The allegation against the applicant as per prosecution is that, the applicant on the pretext of marriage is said to have had physical relationship with the complainant for about 5 years and thereafter he had refused to marry with the prosecutrix leading to filing of FIR.
3. According to the counsel for the applicant, the applicant has falsely been implicated in the case. He submits that there was consensual relationship between the applicant and the complainant. Further, even on the first date of physical relationship with the applicant, the complainant was major, and therefore the applicant may be granted anticipatory bail.

4. Counsel for the State however opposes the bail application and submits that it is a case where the allegation against the applicant is that of exploiting the complainant for a considerable long period and thereafter refusing to marry, and thus prayed for rejection of the bail application.
5. Though, learned counsel for the applicant relied upon couple of decisions of the Supreme Court in support of his contention, but since it is an application for grant of anticipatory bail to the applicant and the case diary shows that there are sufficient material available to show that the present applicant on the pretext of marriage is said to have exploited the complainant for a considerable period of time and then refused to marry her, this court is of the opinion that the present is not a fit case to grant anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application stands rejected.

Sd/-
(P. Sam Koshy)
Judge