

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 665 of 2017

- Prayag Kumar Sahu S/o Jitendra Sahu, Aged About 19 Years R/o Village Bhatgaon, Chowki Bhatgaon, Police Station Bilaigarh, District Balodabazar Bhatapara Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh through Station House Office, Police Station Bilaigarh, District Balodabazar Bhatapara Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Raghavendra Pradhan, Advocate
For the Respondent	:	Mr. Avinash Mishra, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13.02.2017

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. 415/2016 registered at P.S. Bilaigarh, Distt. Balodabazar-Bhatapara (C.G) for the offence punishable under Sections 376 & 384 of IPC and Section 3(1)(xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. As per the prosecution case, on 16.11.2016 a report was made by the prosecutrix who was earlier deserted that from 15.11.2015 till the date of report the applicant on the pretext of marriage has committed sexual intercourse and had prepared obscene video photographs and on that basis he used to blackmail the prosecutrix and had obtained Rs.1 lakh at different points of time and eventually refused to marry, thereby the offence has been committed.
3. Learned counsel for the applicant would submit that earlier

the prosecutrix was married to one Mannulal and there was a divorce, therefore, the story that the prosecutrix was subjected to sexual exploitation on the promise of marriage, was improbable and no obscene photographs have been seized. He further submits that the charge sheet has been filed and the applicant is in jail since 08.11.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of the prosecutrix wherein she stated that she was subjected to blackmail and also physical exploitation on the basis of some photographs and certain amount of Rs.1 lakh was also taken at different points of time. Taking into the nature of allegations and the facts and circumstances of the case, I am not inclined to allow this bail application. Accordingly, it is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**