

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1596 of 2017

Rajkumar Aghariya S/o Shivilal Aghariya, Aged About 19 Years R/o Village Dulku, Chharchha Police Station Manendragarh, District Korea Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer Police Of Police Station Manendragarh District Korea Chhattisgarh

---- Respondent

For Applicant	:	Shri Anil Gulati, Advocate
For Respondent/State	:	Shri Satish Gupta, Govt. Advocate

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

Order On Board

15/03/2017

Heard.

1. The applicant has been arrested in connection with Crime No.410 of 2016 registered in Police Station- Manendragarh, District- Korea (C.G.) for alleged commission of offence under Sections 376 (2) (n), 506 IPC and Sections 5 & 6 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the applicant committed rape on the prosecutrix who is stated to be about 13 years of age.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated. He has not committed any offence. The investigation is complete and charge sheet has been filed, therefore, the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State has opposed the application and submitted that looking to the nature and gravity of allegation and the prosecutrix's statement, the applicant may not be released on bail.

5. Considering the submissions made by learned counsel for the parties, material available on record and the statement of the prosecutrix, I am not inclined to enlarge the applicant on bail.
6. The application is therefore rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen