

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1606 of 2017

Santosh Singh S/o Krishnapal Singh, Aged About 22 Years R/o Sagra, Patelpara, Presently Residing At Ganesh Nagar, Padeysara, House No. 7, Athma Gate, Surat (Gujrat), Permanent R/o Sagra, Police Station Janakpur, Tahsil Bharatpur, District Korea, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through: Station House Officer, Police Of Police Station Janakpur , District Koriya, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Anil Gulati, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Panel Lawyer

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.86 of 2015 registered in Police Station- Janakpur, District- Korea (C.G.) for alleged commission of offence under Sections 373, 376 (2) (n) IPC and Sections 4, 6 & 10 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the prosecutrix has been examined in the Court and the manner in which she has stated before the Court, is not worthy of credence. He submits that when the question was put by the Court to the prosecutrix, she has again made allegation which does not implicate the applicant in the offence as alleged. Therefore, in these circumstances, the applicant may be enlarged on bail.
3. On the other hand, learned counsel for the State has opposed the bail application. He submits that the prosecutrix has been examined in the Court

and it is not a case that she has turned hostile. The appreciation of evidence in the present case may not be necessary at this stage.

4. Taking into consideration the submissions made by learned counsel for the parties, considering the nature and gravity of allegation levelled against the applicant, I am not inclined to enlarge the applicant on bail.
5. The application is therefore rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen