

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3578 of 2017

- Kuber S/o Sukaldhar, Aged About 22 Years, Caste Batra (Adiwasi), R/o Village Kinjoli, Police Chowki Bastar, Civil and Revenue District Bastar, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through the Police Station Nagarnar, Civil and Revenue District Bastar, Chhattisgarh

---- Non-applicant

For Applicant – Shri Punit Ruparel, Advocate.

For Non-applicant/State – Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Chandra Bhushan Bajpai
Order on Board

21-06-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.76/2017 on 25-4-2017 by P.S. Nagarnar, District Bastar, C.G. for the offence under Section 294, 376, 506, 323 of the IPC. Charge sheet has been filed on 20 June, 2017, hence the learned counsel is not in a position to state number of said criminal case. As per the applicant, the prosecutrix is aged about 20 years; the applicant and the prosecutrix were in love affair and it is a case of consent. Hence, the applicant may be released on bail.
3. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicant.
4. Perused the entire material.
5. From perusal of the evidence collected, it appears that at the pretext of marriage, threat, the applicant committed rape repeatedly with the prosecutrix. On consideration of the evidence collected by the prosecution during investigation, I am not inclined to grant bail to the applicant. Consequently, the instant MCRC is hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
Judge