

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4114 of 2017**

- Santosh Chandrawanshi S/o Shri Shankar Chandrawanshi, Aged About 37 Years Occupation Agriculture / Labour, R/o Village Nawghata, Police Station Pipariya, Tahsil Kawardha, Civil & Revenue District Kabirdham, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Pipariya, Civil & Revenue District Kabirdham, Chhattisgarh.

---- Respondent

For Applicant : Shri Paras Mani Shriwas, Advocate
 For Respondent/State : Shri Wasim Miyan, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****19.09.2017**

Heard the matter finally.

2. Learned counsel for the applicant would submit that the applicant has been arrested in connection with Crime No.81/17 on 16/05/2017, Police Station Pipariya, Distt. Kabirdham, (C.G.) for the offence under Section 506 & 376 of the Indian Penal Code.

3. Learned counsel for the applicant would submit that after investigation police had filed charge-sheet which is presently pending before the Additional Sessions Judge (FTC) Kabirdham (C.G.) as Sessions Trial No.29/17. Learned counsel for the applicant would submit that in the present matter FIR is lodged after about 2 months, applicant is innocent and he is falsely implicated. He is

ready to abide by terms and conditions imposed by this Court, he may be enlarged on bail.

4. Per Contra, learned counsel for the respondent/State opposes the arguments advanced on behalf of the applicant.

5. Perused the entire matter.

6. After perusal of the FIR statement under Section 161 & 164 of the Code of Criminal Procedure recorded during the investigation without committed anything on its merits. As the matter is for the forceful inter-course after giving threat to life and also applicant slapped once to the prosecutrix and committed rape, I am not inclined to grant bail to the applicant.

7. Consequently, the instant MCRC is hereby dismissed.

Sd/-

(Chandra Bhushan Bajpai)

JUDGE