

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5121 of 2017

- Yashwant Yadav S/o Ramesh Yadav, Aged About 20 Years, R/o Pritam Nagar, Infront Of Samsaan Ghat, Gudihari Raipur, Police Station Gudihari, District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station Gudihari, Distt. Raipur (Chhattisgarh)

---- Non-applicant

For Applicant – Ms. Reena Singh, Advocate.

For Non-applicant/State – Mr. Om P. Shau, Govt. Advocate.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

29-08-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No152/2017 on 03-06-2017 by P.S. Gudihari, Distt. Raipur, Chhattisgarh for the offence under Section 376, 506 of the IPC. After investigation police had filed the charge sheet, which is pending before the JMFC Raipur for committal proceedings registered as Criminal Case No.114/17. Learned counsel for the applicant would further submit that the applicant is innocent, he is falsely implicated by the prosecutrix. Hence, he may be enlarged on bail.
3. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicant.
4. Perused the statement of the prosecutrix recorded under Section 161, 164 of the Cr.P.C. and other facts collected during investigation. On perusal of the statement recorded under the aforementioned provisions, it appears that the applicant by giving threat to kill forcibly committed sexual intercourse with

the prosecutrix.

5. Upon consideration of the entire facts surfaced, I am not inclined to grant bail to the applicant. Consequently, the instant MCRC is hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
Judge

Aadil