

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 806 of 2017**

- Pramod Ram S/o Sastu Ram, Aged About 30 Years By Caste Nagesiya, Occupation Agriculture, R/o Village Tamiya, Tahsil Bagicha, District Jashpur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Out Post Sonkyari, Police Station Sanna District Jashpur, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Awadh Tripathi, Advocate
For Respondent-State	:	Shri SRJ Jaiswal, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****13/12/2017**

1. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant apprehending his arrest in connection with Crime No. 47/2017 registered at Police Station Sanna, District Jashpur (C.G.) for the offence punishable under Section 376 of the I.P.C.
2. As per the prosecution case, a report was made by the prosecutrix on 16.08.2017 that when she went to collect some *Datun* at that time the applicant came there and caught hold of her and committed rape with her. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case as the victim is a married lady of 27 years and if the forceful rape is committed then she would have sustained some injuries but the same is not reflected from the MLC report, therefore, the

applicant may be given benefit of anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. I have perused the statement of the victim. Considering the same, I am not inclined to allow this anticipatory bail application. Accordingly, the same is dismissed.

Sd/-

Goutam Bhaduri

Judge

Ashu