

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6060 of 2017**

- Manoj Nayak S/o Shankar Nayak, Aged About 28 Years R/o Railay Colony Mahasamund, Police Station Tahsil And District Mahasamund Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Arang, District Raipur Chhattisgarh

---- Non-Applicant

For Applicant : Shri J.N. Nande and Shri Vikash Pradhan, Advocates.
For Non-Applicant : Shri Samir Behar, Panel Lawyer.
For Objector : Shri Dharmesh Shrivastava, Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****04/12/2017**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.240/2017, registered at Police Station : Arang, District Raipur for offence under Sections 376 and 506 of the IPC.
2. The applicant has allegedly committed forcible sexual intercourse with the prosecutrix at about 2.30 pm on 2.6.2017. According to the prosecution, the applicant and the prosecutrix, a major girl, were having an affair pursuant to which the applicant sexually exploited the prosecutrix on promise to marry. When he refused to marry, crime No.188/2017 was registered against him for committing rape on promise to marry. In this crime, the applicant was released on bail by

the Additional Sessions Judge (FTC), Mahasamund on 12.4.2017. After his release, he again started interacting with the prosecutrix and called her to Annapurna Lodge on 2.6.2017 on the pretext that he wants to discuss about their marriage. At this place he again committed forcible sexual intercourse with the prosecutrix for which present FIR bearing Crime No.240/2017 has been registered at 7 pm i.e. within 5 hours of the incident.

3. Considering the fact that the applicant is already facing trial under Section 376 of the IPC in which he has been released on bail and has again committed rape with the prosecutrix on promise to marry, this Court is not inclined to release the applicant on bail. Accordingly, the application is rejected.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve