

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6182 of 2017

Shiv Gond @ Uike S/o Ramasingh Aged About 25 Years R/o Village Kumhari
Darri Khariyapara Police Station Pasan District Korba Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Of Police Station -
Manendragarh District Korea Chhattisgarh.

---- Respondent

For Applicant	:	Shri Sanjeev Verma, Advocate
For State	:	Shri Chandresh Shrivastava, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

27/11/2017

Heard.

1. The applicant has been arrested in connection with Crime No.143 of 2017 registered in Police Station- Manendragarh, District- Korea (C.G.) for alleged commission of offence under Sections 376, 323 & 324 IPC.
2. Case of the prosecution, in brief, is that the applicant committed rape on the prosecutrix.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the prosecutrix is a consenting party because the report was lodged after two days of the alleged incident. It is next submitted that the applicant is in jail since 2.5.2017, charge sheet has been filed, therefore, the applicant may be released on bail.
4. On the other hand, learned counsel for the State, opposing the bail application, submits that the prosecutrix has clearly stated that she was

ravished in the night and next day in the evening when her husband came, she reported him. The prosecutrix sustained injury on her face also. Therefore, the applicant is not entitled to grant of bail.

5. Taking into consideration the submissions made by learned counsel for the parties, taking into consideration the nature and gravity of allegation, I am not inclined to release the applicant on bail.
6. The application is therefore rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge