

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.7204 of 2017

Murali Manohar Aditya S/o Shri Hem Lal Aditya, aged about 25 years,
R/o village Kikirada, Police Station Birra, Civil & Revenue District
Janjgir-Champa (C.G.).

---Applicant

Versus

State of Chhattisgarh, Through – The District Magistrate Janjgir, Civil &
Revenue District Janjgir-Champa (C.G.).

---Respondent

For applicant	:	Shri Paras Mani Shriwas, Advocate.
For resp./State	:	Shri Gary Mukhopadhyay, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/12/2017

1. Present is a repeat bail application filed under Section 439 of Cr.P.C. in connection with Crime No.24/2017 registered at Police Station Birra, District Janjgir-Champa (C.G.) for the offence punishable under Section 450, 376 & 506 of IPC.
2. Present applicant is in jail since 03/04/2017.
3. The earlier bail application was rejected on 27/07/2017.
4. The allegation against the present applicant as per the prosecution case is that, the present applicant is said to have on 02/04/2017 entered into the house of the prosecutrix and committed raped on her.
5. The counsel for the applicant submits that, the present applicant has been falsely implicated on account of some money dispute which was

pending between the parties and that there is a delay in lodging of the F.I.R and no independent witness have supported the case of the prosecution to establish the offence as alleged against the present applicant.

6. The State counsel however opposing the bail application submits that, there is no reason to disbelieve the statement of the prosecutrix. Moreover, the prosecutrix in the instant case is an old lady aged around 70 years and that it is beyond comprehension that such an old lady would file a false complaint against the present applicant and thus prayed for rejection of the bail application.

7. Considering the facts and circumstances of the case, particularly, taking note of the deposition of the prosecutrix and also considering the age of the prosecutrix, this Court does not find it to be a fit case for releasing the present applicant on bail at this juncture.

8. Accordingly, the bail application stands rejected.

Sumit

Sd/-
(P. Sam Koshy)
JUDGE