

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1363 of 2016

1. Gurcharan Singh S/o Pal Singh, Aged About 23 Years, R/o L.I.G. Heerapur, Police Station- Kabir Nagar, Civil & Revenue District- Raipur, Chhattisgarh

---- Applicant

Versus

1. State of Chhattisgarh Through: Police Station Kabir Nagar, Civil & Revenue District- Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Rajesh Roshan Singh, Advocate.

For Non-applicant/State – Shri N.K.Mehta, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

27-04-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that Crime No.126/2016 has been registered against the applicant by Kabir Nagar police, District Raipur, C.G. for the offence under Section 376 of the IPC. Charge sheet has not yet been filed. The applicant and the prosecutrix solemnized marriage on 27-03-2017. The prosecutrix and the applicant are the young couple, as they subsequently married, the applicant may be granted anticipatory bail.
3. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicant and would submit that FIR is lodged on 17-11-2016, the date of incident is from June, 2015 to 21-10-2016 and as per the contents of the FIR including the written report, it is case of rape by the applicant with the prosecutrix; offence is serious, hence, anticipatory bail may not be granted.
4. Perused the entire material.
5. On due consideration, looking to the facts and the material collected during investigation by police against the present applicant, I am not inclined to

grant anticipatory bail to the applicant. Consequently, the instant MCRCA is hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE

Aadil