

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7548 of 2017

Ballu @ Balram Kesharwani S/o Shri Premlal, Aged About 29 Years
R/o Gondpara, Ward No. 20, Police Station City Kotwali, Bilaspur
District Bilaspur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Tarbahar, Bilaspur District Bilaspur Chhattisgarh

---- Respondent

For applicant - Shri Ali Asgar, Advocate.
For Respondent/State –Shri Suryakant Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

15/12/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.41/2017 registered in Police Station Tarbahar, District Bilaspur (C.G.) for offence punishable under sections 370, 376 (D), 34, 109 of IPC & Section 4 & 6 of Protection of Children from Sexual Offences Act.
2. As per the prosecution case, on 17/01/2016 victim when alighted at Bilaspur Station, thereafter one person came and asked for ticket and given his identity that he is police looking for her. Thereafter she was taken to the bus stand and was made to have her meal. Thereafter she was taken to the hotel and two other ladies joined there. Thereafter two persons also joined there who committed rape with her.
3. Learned counsel for the applicant submits that identity of the applicant has not been made properly, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. In the statement of

Tehsildar PW-11 would show at para 2 of his deposition he has categorically supported identification which is marked as Ex.P-12. Considering the same, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE