

HIGH COURT OF CHHATTISGARH, BILASPUR

M. Cr. C. (A) No. 1372 of 2016

Saurabh Dutta S/o Shri Sushant Dutta, aged about 19 years, Occupation- student, Caste- Thakur, R/o Dharamjaygarh Colony, Thana & Tahsil, Dharamjaygarh , Civil & Revenue District - Raigarh Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh through: Station House Officer, Police Station - Dharamjaygarh , Civil & Revenue District- Raigarh ,chhattisgarh.

---- Respondent

For Applicant	:	Shri Sunil Sahu, Advocate
For Respondent/State	:	Shri Ashok Swarnkar, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order On Board

08/05/2017

The present application under Section 438 of Cr.P.C. has been filed seeking for grant of anticipatory bail to the applicant apprehending his arrest in connection with Crime No.230/2016 registered at P.S. Dharamjaygarh, District Raigarh (CG) for the offence punishable under Sections 498-A, 376/34 of IPC

The complainant Bindiya Dutta aged about 19 years has lodged a report alleging that the present applicant committed rape upon her when she lost her consciousness after taking some intoxicant given by the family members of the applicant. The applicant is also alleged to have taken video clips of the said act and was blackmailing the prosecutrix. Meanwhile, the complainant got conceived and thereafter, they got an affidavit executed in respect of the alleged marriage that took place. According to the complainant, the marriage proposal which was sent from the applicant side had already been refused by her family members. However, the applicant by illegal means maintained physical relationship with her and subsequently, has also taken video clips of the same with which the applicant has been blackmailing her.

Taking into consideration the nature of allegation which has been levelled in the complaint by the complainant, this Court is of the opinion that no case is made out for grant of anticipatory bail.

Accordingly, the instant application filed under Section 438 CrPC stands rejected.

Sd/
(P. Sam Koshy)
Judge

Bhola