

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 386 OF 2018**

Saurabh Dutta S/o. Shri Sushant Dutta, aged about 19 years,
Occupation-Student, R/o. Dharamjaygarh Colony, Thana & Tahsil-
Dharamjaygarh, Civil & Revenue Distt.Raigarh (CG)

---Applicant**Versus**

State of Chhattisgarh Through Station House Officer, Police Station-
Dharamjaygarh, Civil & Revenue Distt.-Raigarh (CG)

---Non-applicant

For Applicant	:	Mr. Sunil Sahu, Advocate
For-Non-applicant	:	Mr. Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****22/03/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 230/2016, registered at Police Station-Dharamjaigarh, District-Raigarh (C.G.), for the offence punishable under Sections 498A and 376/34 of the IPC.
2. Case of the prosecution, in brief, is that, on 8.11.2016 the applicant committed sexual intercourse with the prosecutrix and when she become pregnant, married with her and thereafter demanded Rs.5 lacs and treated her cruelty and thereby committed the offence.
3. Learned counsel for the applicant would submit that applicant

has not committed any offence and he has falsely been implicated in crime in question. He would further submit that charge-sheet has been filed and it is practically impossible to commit such offence as the prosecutrix is her legally wedded wife and at the most, offence under Section 498A of the IPC would be made against the applicant. He is in jail since 8.11.2017.

4. Learned State counsel would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, the manner in which the applicant has committed offence and also said to have prepared video on mobile after committing rape and considering the statement of the prosecutrix under Section 164 of the CrPC, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-