

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1002 of 2017**

Ravikant Beck S/o Sukul Beck, Aged About 25 Years R/o Village Pakhnakot
Dudbahar, Police Station Kapu, Tehsil Dharamjaigarh, District Raigarh
Chhattisgarh.

---- **Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Kapu,
District Raigarh Chhattisgarh.

---- **Respondent**

For Applicant	:	Mr. Kishore Bhaduri with Mr. Sunny Agrawal, Advocates
For Respondent/State	:	Mr. Avinash Singh, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****03/01/2018**

Heard.

1. The applicant is apprehending his arrest in connection with Crime No.30/2017 registered at police station – Kapu, District Raigarh (C.G.) for alleged commission of offence under Section 376 of IPC and 4,12 of POCSO Act, 2012.
2. Case of the prosecution is that the applicant committed rape on the prosecutrix, who stated to be minor in age.
3. Learned counsel for the applicant would submit that he has been falsely implicated because the prosecutrix herself has stated in her statement under Section 164 of Cr.P.C. that she had an affair with the applicant. Therefore, the allegations are exaggerated.
4. On the other hand, learned counsel for the State opposes prayer and submits that the prosecutrix at the relevant time of alleged commission of offence was 15 years only. Therefore, her consent does not absolve the applicant from the charge of rape.
5. Having considered the submissions of learned counsel for the parties, statement of the prosecutrix recorded before the Magistrate and her age, I am not inclined to grant anticipatory bail. Therefore, the bail application is rejected.

Sd/-

(Manindra Mohan Shrivastava)

J U D G E