

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.A. No. 320 of 2018**

ShabirKhan, S/o Jakirkhan, Aged about 27 years, Caste – Musalman, R/o Darrabhata, Police Station – Baradwar, Tahsil Jaijaipur, District Janjgir - Champa (C.G.)

---- Applicant**Versus**

State of Chhattisgarh, Through : The Station House Officer, Police Station Baradwar, Civil & Revenue District Janjgir - Champa (C.G.)

---- Non-applicant

For Applicant	:	Mr. Pushpendra Kumar Patel, Advocate.
For Non-applicant/State	:	Mr. R.N.Pushty, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****07/05/18**

1. The applicant has filed this application under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail apprehending his arrest in connection with Crime No.02/2018, registered at Police Station Baradwar, Civil & Revenue District Janjgir - Champa (C.G.) for the offence punishable under Sections 506, 376 of the I.P.C. and 3 (1)(12) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act.
2. Case of the prosecution in brief is that the present applicant has committed sexual intercourse with the prosecutrix from November, 2015 to December, 2017 by threatening her and thereby committed the aforesaid offence.
3. Learned counsel for the applicant submits that the applicant has not

committed any offence and has been falsely implicated in crime in question and the FIR has been registered on 03-02-2018, therefore, the applicant may be granted anticipatory bail.

4. On the contrary, learned State counsel has opposed the bail application.

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

6. Taking into consideration the facts and circumstances of the case, further taking into consideration the nature and gravity of the offence and the material available on record and the age of the prosecutrix, I do not consider it a fit case for grant of anticipatory bail to the applicant.

7. Accordingly, the bail application filed under Section 438 of the Cr.P.C. is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge