

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4163 of 2018**

Ramkumar Patre S/o Babulal Patre Aged About 35 Years R/o Village Munda
P.S. Kota District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station Kota, District Bilaspur
Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Anil Gulati, Advocate.
For the Respondent/State : Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****10.07.2018**

Heard.

1. This is the second bail application of the applicant. The first bail application was dismissed as withdrawn without deciding on merits. The applicant has been arrested in connection with Crime No.131 of 2017, registered at Police Station – Kota, District Bilaspur, Chhattisgarh for the offence punishable under Sections 376/ 34 and 506 of the Indian Penal Code and Section 67 of the I.T. Act.

2. Learned counsel for the applicant submits that the applicant is in jail since 21.5.2017 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. The prosecutrix in this case had been a consenting party. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that according to the material present in the case-diary, no case is made out for grant of regular bail to the applicant.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, the prosecutrix was administered some intoxicating substance mixed in cold-drink alongwith co-accused - Godawari Bai and thereafter, the prosecutrix was disrobed and obscene video recording was made. It is alleged that by making use of the said obscene video of the prosecutrix, she was exploited sexually by the applicant on various occasions. Torture went to this extent that the marriage negotiation of the prosecutrix was also broken because of the disclosure by this applicant to the concerned about his illicit relationship with the prosecutrix. Hence, this case.

6. After considering the entirety of the material present in the case of the applicant, I am of the view that the applicant does not deserve to be released on regular bail.

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

Sd/-

(Rajendra Chandra Singh Samant)
Judge