

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4379 of 2018

Liladhar Patel S/o Dileshwar Patel Aged About 21 Years R/o- Village Chainpur, Police Station Kartala, District- Korba, Chhattisgarh.

--- **Petitioner**

Versus

State of Chhattisgarh through- Station House Officer, Police Station- Chhal, District- Raigarh, Chhattisgarh.

--- **Respondent**

For the applicant	:	Mr. Ajeet Kumar Yadav, Advocate.
For the Respondent	:	Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.07.2018

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 22/2018 registered at Police Station Chhal, District Raigarh (C.G) for the offences punishable under Sections 376, 506 of IPC & sections 4 & 6 of the Protection of Children from Sexual Offences Act and Section 3(1)(w)(ii) & 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. As per the prosecution case, on 01.01.2018 while the prosecutrix was returning along-with her friend from the picnic, the applicant met her, thereafter took her to the forest and committed forcible sexual intercourse with her and it was recorded in video and the video was made viral. Thereafter the report was made and the applicant has been arrested.
3. Learned counsel for the applicant submits that the applicant

has been falsely implicated and the FIR is delayed by 47 days. He further submits that she was a consenting party and she herself went along-with the applicant and no offence has been committed.

4. Per contra, learned State Counsel opposes the bail application. .
5. Perused the statement of the prosecutrix and the documents. It appears that the applicant has circulated the video of sexual intercourse in public. Considering the facts and circumstances of the case and the statement of prosecutrix, I am not inclined to allow this bail application. Accordingly, it is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**