

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7970 of 2017

Sohan Singh S/o Sattu Singh Beldar, Aged About 30 Years R/o Village Beldar
Sivni, P. S. Kharora, District Raipur Chhattisgarh, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through P. S. Kharora, District Raipur Chhattisgarh,
Chhattisgarh

---- Respondent

For Applicant	:	Shri C.R. Sahu, Advocate
For Respondent/State	:	Shri Satish Gupta, Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/02/2018

Heard.

1. This is the second bail application for grant of bail to the applicant. The first application of the applicant was dismissed as withdrawn.
2. The applicant has been arrested in connection with Crime No.278 of 2016 registered in Police Station- Kharora, District -Raipur for alleged commission of offence under Sections 376 (2) (झ) , 506/34 and Section 6 of the Protection of Children from Sexual Offences Act, 2012.
3. Case of the prosecution, in brief, is that the applicant and the other accused person committed rape on the prosecutrix who was stated to be a minor in age on the date of alleged commission of offence.
4. Learned counsel for the applicant would submit that the manner in which the prosecutrix had deposed in the Court clearly shows that she is telling lie. He would submit that the prosecutrix has given contradictory statement and at

time, she has admitted that she had involved the applicant upon being tutored by others. Therefore, the applicant is also entitled for grant of bail on parity as has been granted to co-accused Yogesh Beldar in MCRC No.6364 of 2017.

5. On the other hand, learned counsel for the State has opposed the bail application. He would submit that the case of the co-accused Yogesh Beldar is different from that of the present applicant. He would submit that the name of co-accused Yogesh Beldar was not mentioned in the FIR and his name was later on involved. He would further submit that at this stage, the prosecutrix's statement made before the Court clearly indicates that the applicant is involved in the alleged commission of offence.
6. Having considered the submissions made by learned counsel for the parties, particularly taking into consideration that the applicant has been named in the alleged commission of offence right from the beginning, I am not inclined to allow the application.
7. The application is accordingly rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge