

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 250 of 2019**

- Yuvraj Kumar Sahu, S/o Khiluram Sahu, aged about 31 Years, R/o Present Address Kanshipani Asthayi Ropani Post Baijalpur, Tahsil Bodla, District : Kawardha (Kabirdham), Chhattisgarh

**---- Applicant**

**Versus**

- State of Chhattisgarh Through The Police Station Poolgaon, District-Durg Chhattisgarh.

**---- Respondent**

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| For Applicant  | : | Mr. P.K. Tulsyan, Advocate.      |
| For Respondent | : | Mr. Mahesh Mishra, Panel Lawyer. |
| For Objector   | : | Mr. Umesh Pandey, Objector.      |

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**  
**Order On Board**

**27/02/2019**

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.28/2019 registered at Police Station-Poolgaon, District–Durg(C.G.), for the offence punishable under Sections 376 of the IPC.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant and prosecutrix both are related to each other. The prosecutrix is herself having some affairs with other persons because of which this applicant tried to restrain her. This applicant has financially helped in the education of the prosecutrix. In later on development, the applicant has got

engaged for marriage on knowing about that, the complainant has threatened to involve him in a false case because of which a complaint was filed in the police-station by the applicant on 14.1.2019 and similar another complaint was lodged on 15.1.2019. Photographs has been attached and also attached an audio C.D. with application which shows that the complainant is living a life of promiscuity. Hence, it is prayed that this applicant may be granted anticipatory bail.

3. Learned State Counsel opposes the bail application and the submissions made in this respect. It is submitted that this applicant had allured the minor prosecutrix with false promise to marry and has exploited her sexually on number of occasions by using his influence on her. The applicant is uncle in relation to the prosecutrix, therefore, the offence committed by him is depravity, hence, it is prayed that application be rejected.
4. Heard both the parties and perused the case diary.
5. FIR has been lodged by the prosecutrix alleging that in the year of 2013 when she was a minor, this applicant allured her with promise to marry her had physical relation with her on number of occasions despite her objection by using force on her and, thereafter, he is now refusing to marry her.
6. After considering on the material present in the case diary, and all the documents produced by the applicant, I do not feel inclined to grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is rejected.

Sd/-

**(Rajendra Chandra Singh Samant)**  
Judge

