

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 351 of 2019

- Chetan Singh Rajput S/o Shri Raju Singh Chauhan, Aged About 21 Years, R/o Khamhardih, Raipur, Tahsil And District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Of Police Station Azad Chowk, Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Shri B.L. Sahu, Advocate.

For Non-applicant/State – Shri Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

18-03-2019

1. Apprehending arrest in connection with Crime No.114/18, registered at Police Station – Azad Chowk, Raipur, District Raipur, Chhattisgarh for offence punishable under Section 363, 366, 376 of the IPC and Section 4, 6 of Protection of Children from Sexual Offences Act, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against him. In fact, the applicant had some dispute with the mother of the prosecutrix and she had threatened the applicant that she will implicate him in some false case, therefore, she has made use of the prosecutrix for lodging the false FIR against the applicant. The medical report also does not support the prosecution case. Hence, it is prayed that this applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that the prosecutrix has given clear statement against the applicant that she was abducted and raped by the applicant, therefore, no case is made

out for grant of anticipatory bail.

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

5. The FIR was lodged on 19-05-2018 by Tahira Parveen that her minor daughter, the prosecutrix had been abducted by some unknown person. The prosecutrix was recovered on 23-05-2018 and thereafter she has given statement under Section 161 of the Cr.P.C. making allegations against this applicant that he was the person who has abducted and has raped her by keeping her in confinement for about five days. Hence, this case.

6. After considering on the material present in the case diary, I do not feel inclined to allow this application.

7. Consequently, the application filed by the applicant under Section 438 of the Cr.P.C. for grant of anticipatory bail is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge