

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4497 of 2019**

- Manoranjan Das Manikpuri S/o Ankalu Das Manikpuri Aged About 21 Years
R/o Village Pupgaon Amabeda P.S. Amabeda District- North Bastar Kanker,
Chhattisgarh., District : Kanker, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Amabeda, District- North
Bastar Kanker, Chhattisgarh., District : Kanker, Chhattisgarh

---- Non-applicant

For Applicant : Shri Pravin Kumar Tulsyan, Advocate.

For Non-applicant : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****31.07.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 13/2018 registered at Police Station – Amabeda, District – Kanker (C.G.) for the offence punishable under Sections 363, 376(2)(N), 366, 342, 344, 496, 506 of the Indian Penal Code and Section 3(1)(b), 3(2)(v) of the SCST Act.
3. Case of the prosecution, in brief is that in the month of April, 2018 prosecutrix was 20 years old. She is member of scheduled tribe. She is resident of village Bhatpar. In the month of April, 2018 she had gone in his house to visit with his sister. In his house no other person was present. He committed forcible sexual intercourse with her and

threatened to kill her. Due to fear she did not narrate the incident to any one. On 11.04.2018 he took her forcefully to village Murwendle and committed repeatedly sexual intercourse with her.

4. Learned counsel for the applicant argued that the applicant has no criminal background, he is innocent, the prosecutrix was a consenting party, therefore, he shall be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicant.

6. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE