

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4599 of 2019**

- Rajendra Bada S/o Shri Fulchand Bada, aged about 20 years, R/o Karwa Khutanpara Rajpur, Police Station – Rajpur, District – Balrampur Ramanujganj (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station Rajpur, District Balrampur-Ramanujganj (C.G.)

---- Respondent

For Applicant. : Shri Neel Ratan Jaiswal, Advocate.
 For Respondent. : Shri Wasim Miyan, P.L. for the State

Hon'ble Smt. Justice Rajani Dubey**Order on Board****08/08/2018**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 06.07.2018 in connection with Crime No.87/2018 registered at Police Station : Rajpur, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 376(2)(n) IPC and Sections 5(1) & 6 of the Protection of Children From Sexual Offences Act, 2012.
2. As per the prosecution case, in the year 2016, when the prosecutrix was going to graze cattle, the applicant allured the prosecutrix and committed sexual intercourse with her on the pretext of marriage. Further case of the prosecution is that thereafter the applicant continue to have sexual

intercourse with the prosecutrix, as a result of which she became pregnant and delivered a child.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that the prosecutrix was a consenting party to the act of the applicant. He also submits that the applicant is in jail since 06.07.2018, the charge sheet has been filed and, therefore, he may be released on bail.
4. On the other hand, State counsel opposes the bail application and submits that on the date of commission of offence the prosecutrix was minor.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, in particular the statement of the prosecutrix, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-

(Rajani Dubey)
Judge

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****CRMP No. 1965 of 2019**

- Rajendra Bada S/o Shri Fulchand Bada, aged about 20 years, R/o Karwa Khutanpara, Rajpur, Police Station, Rajpur, District Balrampur – Ramanujganj, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Police Station – Rajpur, District Balrampur, Ramanujganj (C.G.)

---- Respondent

For Petitioner	:	None.
For Respondent	:	Shri Wasim Miyan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****28/08/2019**

This is an office reference seeking modification in the order dated 08.08.2018 passed by this Court in MCRC No.4599/2019.

In the order dated 08.08.2018 passed in MCRC No.4599/2019 there appears to be a typographical mistake relating to the order date.

From perusal of the record, it appears that in the order passed in MCRC No.4599/2019 the date has wrongly been typed as 08.08.2018 in place of 08.08.2019. Thus, the error is apparent on the face of the record which needs to be rectified.

Accordingly, it is ordered that the date of order in question be read as 08.08.2019 instead of 08.08.2018.

With the modification as aforesaid, office reference stands disposed of.

Sd/-

(Rajani Dubey)
Judge

Vijay