

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4980 of 2019

- Parasnath Ravi S/o Bachchu Ram, Aged About 35 Years, R/o Village-Kewara(Chameli Para), Police Station- Jhilmili, Tahsil- Bhaiyathan, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station-Jhilmili, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh

----Non-applicant

For Applicant – Shri Anil Gulati, Advocate.

For Non-applicant/State – Shri Shrikant Kaushik, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

02-09-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 04-06-2019 in connection with Crime No.112/2018 registered at Police Station – Jhilmili, District Surajpur, Chhattisgarh for the offence under Section 376(2)(f), 376(h), 506, 450, 313 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 04-06-2019. No case is made out against him. The applicant is brother-in-law of the prosecutrix. Because of some family dispute he has been falsely implicated in this case. Therefore, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application.

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

5. According to the prosecution case, this applicant is elder brother of husband of the prosecutrix. This applicant used to molest the prosecutrix on number of occasions and on the date of incident finding occasion when the

prosecutrix was alone in the house, he committed forcefully sexual intercourse with her without her consent and willingness and also threatened her. As a result of this incident the pregnancy of the prosecutrix has also got aborted. Hence, this case.

6. After considering the evidence present in the case diary against this applicant, I do not feel inclined to allow this application.

7. Consequently, the application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is rejected.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge