

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1084 of 2020

- Dara Ratre S/o Moti Ratre Aged About 23 Years R/o Kanhabhaira P.S. Pipariya, District- Kabirdham, Chhattisgarh.,

---- Applicant

Versus

- State Of Chhattisgarh Through Arakshi Center, Bodla, District- Kabirdham, Chhattisgarh.,

---- Respondent

For Applicant	: Shri Basant Dewangan, Advocate
For Respondent /State	: Shri Anil Tripathi, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

03/03/2020

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 in connection with Crime No.110/2019 registered at police station Kabirdham, district Kabirdham (CG) for the offence punishable under Sections 363,366 and 376 IPC and Sections 3 and 4 of the Protection of Children from Sexual Offences Act.

As per prosecution case, the applicant took away the prosecutrix in his motorcycle on the pretext of marriage and roamed to several places and subjected her to rape.

Contention of counsel for the applicant is that he has been falsely implicated in the case. He submits that the applicant is in jail

since 15.06.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State as well as father of the prosecutrix opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of allegation against the applicant, I am not inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-

(Rajani Dubey)
Judge