

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4947 of 2020

Sonu Sahu S/o Chand Ram Sahu Aged About 19 Years R/o Lahod, Police Station Kasdol, District Baloda Bazar-Bhatapara, Chhattisgarh. Present R/o Safair Green Colony, Aama Sivani, Police Station Vidhansabha, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Vidhansabha, Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Shri P.K. Patel, Advocate
For State	:	Shri Ravish Verma, Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

22/09/2020

Heard.

1. The applicant is arrested in connection with Crime No.99/2020 registered in Police Station -Vidhansabha, Raipur, District- Raipur (CG) for alleged commission of offence under Sections 363, 366, 376 IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the applicant abducted and committed rape on the prosecutrix who is stated to be less than 16 years of age.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in the case. Even according to prosecutrix's statement, the applicant and the prosecutrix had an affair. The allegation of sexual intercourse is exaggerated. Therefore, the applicant may be granted bail.
4. On the other hand, learned counsel for the State opposed the bail application

by submitting that the prosecutrix has clearly stated regarding continuous sexual intercourse between her and the applicant between the period from 3.4.2020 to 15.4.2020, till she was recovered by their parents.

5. Taking into consideration the submissions made by learned counsel for the parties, particularly taking into consideration the statement of the prosecutrix regarding sexual intercourse and that the date of birth of the prosecutrix as per prosecution document is 26.7.2004, present is not a fit case for grant of bail.
6. The application is accordingly rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen