

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4943 of 2020

Rajendra Yadav @ Rangeela Son Of Shiv Kumar Yadav Aged About 19 Years Resident of Bamhani, P.S. Palari, District Baloda Bazar, At Present Resident of Nageshwar Nagar, Near Beergaon Sanskritik Bhawan, House Of Tandi, P.S. Urla, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Urla, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Shri S.P. Sahu, 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.112/2020 registered in Police Station -Urla, District- Raipur (CG) for alleged commission of offence under Sections 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 committed rape on the prosecutrix who is hardly 10 years of age.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in the case. He has not committed any such offence and the prosecutrix has been tutored.
4. On the other hand, learned counsel for the State opposed the bail application by submitting that in her 164 Cr.P.C. statement, the prosecutrix has clearly made allegation of rape on her by the applicant. Medical report also supports

the prosecution case. He submits that as per evidence collected by the investigation, the prosecutrix is hardly 10 years of age.

5. Taking into consideration the submissions made by learned counsel for the parties, taking into consideration the material with regard to age, statement under Section 164 Cr.P.C. and medical report, present is not a fit case for grant of bail.
6. The application is accordingly rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen