

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 5127 of 2020

- Vijay Singh S/o Babulal Aged About 25 Years R/o Village Laxmipur, Presently Residing At Chungadi, Police Station Bhatgaon, District- Surajpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Of Police Station- Bhatgaon, District- Surajpur, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Anil Gulati, Advocate.
For State	:	Mr. Alok Bakshi, Additional A.G.

Hon'ble Shri Justice Manindra Mohan ShrivastavaOrder On Board08/10/2020

Heard.

1. The applicant has moved this application for grant of bail as he is arrested in connection with Crime No.118/2019 registered at Police Station- Bhatgaon, District- Surajpur, C.G. for the offence under Sections 363, 366 & 376(2)(ढ) of IPC and Sections 5(L) & 6 of POCSO Act.
2. Prosecution case is that the applicant abducted the prosecutrix and thereafter kept her in a room where he repeatedly committed rape on the prosecutrix until she escaped and came back to her house.
3. Learned counsel for the applicant would argue that the applicant has been falsely implicated in the case and he has not committed any such offence. There is delay in lodging FIR which raises serious doubt in the case of the prosecution.
4. On the other hand, learned State Counsel opposes and submits that statement of the prosecutrix under Section 164 Cr.P.C. before the Magistrate, *prima facie*, makes out a case of commission of rape and prosecutrix is minor in age.

5. Taking into consideration the submissions of learned counsel for the parties, particularly taking into consideration the statement of the prosecutrix and material with regard to age of the prosecutrix, present is not a fit case for grant of bail.
6. The bail application is accordingly rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Ravi