

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5759 of 2020**

- Bhivan Rajwade S/o Santram Rajwade, Aged About 33 Years R/o - Village - Basdei (Rajwaripara), Chowki - Basdei, Police Station - Surajpur, District - Surajpur Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh, Through - Police Chowki - Basdei, Police Station - Surajpur District - Surajpur Chhattisgarh

---- Respondent

For Applicant	:	Shri Pushpendra Patel, Advocate
For State	:	Shri Alok Bakshi, Addl. A.G.
For Objector	:	Shri Vinod Tiwari, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****05/11/2020**

Heard.

1. The applicant has been arrested in connection with Crime No.52/2020 registered at Police Chowki – Basdei, Police Station – Surajpur, District – Surajpur (C.G.) for alleged commission of offences under Section 341, 506, 376 of IPC and Section 4 and 6 of the Protection of Children from Sexual Offences Act, 2012.
2. Prosecution story is that the applicant intercepted the prosecutrix on road, dragged her and then committed rape on her. The prosecutrix is stated to be a minor.
3. Learned counsel for the applicant would argue that the applicant has been falsely implicated. He has not committed any offence and there is delay of about 6 days in filing of FIR.
4. On the other hand, learned State counsel submits that the prosecutrix has clearly stated in her 161 CrPC that she was forcibly dragged when she was going on road and

the applicant committed rape on her and threatened her not to disclose to anybody.

5. Counsel for Objector appearing on behalf of the prosecutrix through Help Desk of DLSA, Surajpur has serious objection for grant of bail.

6. Taking into consideration the submission of learned counsel for the parties particularly taking into consideration the age of the prosecutrix and her statement under Section 161 CrPC, I am not inclined to grant bail to the applicant. The application is, accordingly, rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge