

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 2175 of 2019**

Nikku Verma S/o Late Shri Rajendra Verma, aged about 19 years R/o Village Navadih, P.S. Sipat Tahsil Masturi, District Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh through Station House Officer, Police Station Sipat, Civil and Revenue District Bilaspur (C.G.).

---- Respondent

For Applicant	:	Mr. U.K.S. Chandel, Advocate
For Respondent	:	Mr. Vimlesh Bajpai, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

03/06/2020

1. The matter is heard through video conferencing.
2. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No. 437/2019 registered at police station – Sipat (C.G.) for the offence punishable under Section 376 (2) (i) of the Indian Penal Code and Section 4 of the POCSO Act.
3. In this case, the Prosecutrix is a girl aged about 15 years. She is handicapped of about 70% and is also deep and dump. It is alleged on 23/11/2019, the applicant entered into the house of the Prosecutrix when she was alone and committed forcible sexual intercourse with her. The incident was witnessed by one Saraswati Bai who narrated the incident to the mother of the Prosecutrix. Thereafter, the matter

was reported and offence has been registered.

4. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case due to dispute with Saraswati. He further submits that the applicant is already married and he has not done any wrong. He prays to extend the benefit of anticipatory bail to the applicant.
5. Learned counsel appearing on behalf of the State opposes the said application and submits that as per the medical report of the prosecutrix, redness was found in her private part, therefore, bail application may be rejected.
6. I have heard counsel for the parties.
7. Considering the facts and circumstances of the case and the evidence collected by the prosecution, particularly the evidence of Saraswati Bai and medical report of the Prosecutrix, I am not inclined to release the applicant on anticipatory bail.
8. Accordingly, the anticipatory bail application is rejected.

Sd/-
(Arvind Singh Chandel)
Judge