

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUROrder reserved on 18-03-2021Order delivered on 25-03-2021MCRC No. 55 of 2021

1. Ved Prakesh Dewangan S/o Mahendra Dewangan Aged About 28 Years R/o Near Jaitkhamb, Aazad Nagar, Ward No.12, Rawabhata, District Raipur Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through The Police Station Khamtarai, District Raipur Chhattisgarh

---- Respondent

For Applicant Mr. Harshwardhan Parganiha, Advocate

For Respondent /State Mr. Ravish Verma, Govt. Advocate

Hon'ble Mr. Justice Prashant Kumar Mishra

CAV Order

1. The applicant has preferred this bail application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.589/2020, registered at Police Station Khamtarai, District Raipur (CG), for offence punishable under Section 376 of the Indian Penal Code.
2. Applicant has committed forcible sexual intercourse with the prosecutrix on promise to marry. In her written report she alleges that the applicant has subjected her to forcible sexual

intercourse on promise to marry for about 8-10 time, but is now refusing to marry.

3. Learned counsel for the State, *per contra*, would oppose the bail application.
4. In her statement under Section 164 Cr.P.C., the prosecutrix has stated that the applicant used to promise her to marry and call in a hotel to commit sexual intercourse. Since she was under impression that the applicant would marry her, she agreed for sexual intercourse, but the applicant is refusing to marry her.
5. On reading of the statement of the prosecutrix recorded under Section 164 Cr.P.C., it appears the prosecutrix was trapped for sexual intercourse on promise to marry from the very inception.
6. Considering the rising trend of sexual offences against women, this Court is not inclined to extend the benefit of Section 438 of the Cr.P.C. to the applicant.
7. Accordingly, the anticipatory bail application is rejected.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri