

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 2398 of 2021**

Rajkumar Siddar, S/o. Late Shyamla Siddar, Aged About 22 Years, R/o. Village Kachhar, P.S. & Tahsil Pathalgaon, District Jashpur Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through Station House Officer, Police Station Ambikapur, District Sarguja Chhattisgarh.

**---- Respondent**

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For Applicant : Ms. Sangeeta Soni, Advocate

For Respondent : Mr. Ashish Tiwari, Govt. Advocate  
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**Hon'ble Shri Justice Goutam Bhaduri**

**ORDER**

**16.07.2021**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.717/2020 registered at Police Station- Ambikapur, Distt. Sarguja, for the offence punishable under Sections 376(डी), 342, 323, 506, 34 of the Indian Penal Code.
2. As per the prosecution case, for the incident happened in between 23.10.2020 to 31.10.2020, the prosecutrix lodged a report on 01.11.2020 that she was abducted by Kuldeep Lakda and first he committed rape thereafter two other accused including the present applicant committed rape and also looted Rs.12,000/- and took obscene photos of the prosecutrix.
3. Learned counsel for the applicant would submit that on 01.11.2020 the prosecutrix was major and the medical report do not support the incident. He further submits that the applicant has been falsely implicated and the charge sheet has been filed; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and he read out the statement of the prosecutrix.
5. Having perused the statement of the prosecutrix, I am not inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-  
**(Goutam Bhaduri)**  
Judge

Ashok