

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3128 of 2021**

- Vedprakash Tiwari, S/o Shri Tejpratap Tiwari, aged about 25 Years, Resident of Gulab Nagar, Near Chirkuti Temple, Gudiyaari, Raipur, Tahsil and District Raipur, Chhattisgarh.

---Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, Police Station Urla, District Raipur, Chhattisgarh.

----Non-applicant

For Applicant	Shri C.R. Sahu, Advocate.
For State	Shri Rahim Ubwani, Advocate.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****12/07/2021**

1. The matter is heard through Video Conferencing.
2. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.34/2021 registered at Police Station- Urla, District Raipur, C.G. for the offence punishable under Sections 376, 506, 294 read with 34 of Indian Penal Code.
3. Case of the prosecution, in brief, is that complainant lodged a report against the applicant and co-accused person alleging in it that on the pretext of marriage, present applicant committed forcible sexual intercourse with her and threatened her to make her video viral. On report being lodged to the above effect, the

aforesaid offence have been registered against the present applicant and co-accused person.

4. Learned counsel for the applicant submit that applicant is an innocent person and has been falsely implicated in this case. He submits that at the time of incident prosecutrix was major and she was having love affair with the co-accused Sonu Sharma and the present applicant has not committed any sexual offence with the prosecutrix. The applicant is in jail since 02.02.2021, charge sheet has already been filed and due to COVID-19 pandemic, conclusion of trial is likely to take some time. Therefore, the applicant be released on bail.
5. Learned counsel for the State opposes the bail application.
6. Heard learned counsel for the parties.
7. Considering the facts and circumstances of the case, the manner in which the incident is said to have taken place, the gravity of the offence, further considering the fact that on the basis of some video clip of prosecutrix, present applicant committed forcible sexual intercourse with her, without commenting anything on merits of the case, I am not inclined to release the applicant on bail at this stage.
8. Accordingly, the bail application is rejected.

Sd/-
Gautam Chourdiya
Judge