

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6818 of 2020

- Ali Ahmad Siddiqui @ Aneesh S/o Niyaj Ahmad Aged About 25 Years R/o Ward No. 17, Arjun Nagar Camp 1, Bhilai Tahsil And District Durg, Chhattisgarh

----Applicant

Versus

- State Of Chhattisgarh Through, District Magistrate Durg, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Aman Yadav, Advocate
For State	:	Mrs. Richa Shukla, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06.01.2021

1. Heard
2. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of bail as he is arrested on 10.07.2020 in connection with Crime No. 169/2020, registered in Police Station Vaishali Nagar Distt. Durg (C.G.) for offence punishable under sections 376(2)(३), 509 & 506 of the IPC.
3. As per the prosecution case, a report was lodged against the applicant that on 05.07.2020, the applicant took the prosecutrix to a house and thereafter on the threat of the nude photographs, which he had obtained by making her unconscious, would be made viral he committed

sexual intercourse with her and subsequently assaulted her.

4. Learned counsel for the applicant submits that the story which has been stated by the prosecutrix is completely improbable and she herself was in the company of the applicant and being a major she was a consenting party, therefore the applicant may be enlarged on bail.

5. Learned State counsel opposes the submission made by learned counsel for the applicant.

6. Perusal of the statement of the prosecutrix would show that on the basis of the fact that the applicant is having some nude photographs which was initially obtained after the prosecutrix was made unconscious the threat was extended to make that photograph viral, on such threat the subsequent sexual intercourse was committed. It is also stated that the applicant is a married. Considering the said statement, I am not inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of Cr.P.C. stands rejected.

7. Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE