

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7653 of 2020**

- Jaikumar Dhruv, S/o Parmeshwar Dhruv, Aged About 38 Years
R/o - Tulsikapa, Mungeli, District - Mungeli Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Of Police Station City
Kotwali, Mungeli, District - Mungeli Chhattisgarh.

---- Respondent

For Applicant
For Respondent /State

Mr. Pallav Mishra, Advocate
Mr. Alok Nigam, Government
Advocate

SB: Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****8/1/2021**

1. Heard.
2. This is an 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.459/2020 registered at Police Station City Kotwali, Mungeli for the offence punishable under Sections 376, 376(2)(L) of the IPC.
3. The applicant has committed forcible sexual intercourse with a mentally retarded girl, aged about 22 years.
4. Despite there being discrepancy in stating the actual place of

commission of rape, I am not inclined to release the applicant on bail for the reason that Smt. Dehuti Sahu, mother of the prosecutrix, claims to have seen the applicant while he was performing sexual intercourse and the prosecutrix is also not denying the incident.

5. Accordingly, the bail application is dismissed reserving liberty to the applicant to renew the prayer after examination of the prosecutrix and her mother.

Sd/-

(Prashant Kumar Mishra)

Judge

Gowri