

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8477 of 2020**

Trilochan Janghel S/o Sundar Lal Aged About 32 Years R/o Silpatti, P.S.
Chuikhadaan, District- Rajnandgaon, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through District Magistrate, District Durg,
Chhattisgarh.

---- Respondent

For the Applicant : Shri Shreyankar Nandy, Advocate.
For the Respondent/State : Shri B.P. Banjare, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****08.01.2021**

Heard.

1. This is the third bail application of the applicant. The first and second bail applications of the applicant were dismissed as withdrawn. The applicant has been arrested in connection with Crime No.141 of 2018, registered at Police Station – Pulgaon, District – Durg, Chhattisgarh for the offence punishable under Sections 366, 294, 376 and 506, 34 of the Indian Penal Code and Sections 3(ka) and 4 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 22.4.2018 and has been falsely implicated in this case. The offence under Section 366 of the IPC is not at all made out by this applicant. As regards, the other charge against this applicant that is totally false, because that is not supported by any medical evidence. Hence, it is prayed that the

applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the statement of the minor prosecutrix under Sections 161 and 164 of the Cr.P.C. is very much categorical making serious allegations against this applicant. Hence, no case is made out for grant of bail to the applicant.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, on the date of incident, the maternal uncle of the minor prosecutrix by allurement invited her to go with him in his vehicle. The applicant was the driver of that vehicle. The prosecutrix was taken to a lonely place and forcefully given a drink mixed with intoxicated substance and subsequent to which, it is alleged that the applicant has raped her. Co-accused – maternal uncle also made attempt for committing rape.

6. Considered the submissions and the facts of the case. Looking to the facts that are present in the case, I do not feel inclined to grant regular bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge