

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.8556 of 2020

Ajay Shukla S/o Narayan Shukla Aged About 33 Years Occupation-
Assistant Teacher, Chimara, R/o Village- Gaurmati, Block- Bodla, Police
Station And Tahsil- S.Lohara, District Kabirdham (Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh Through- District Magistrate, Kawardha, District-
Kabirdham (Chhattisgarh)

---- Respondent

For Applicant	:	Shri Dharmesh Shrivastava, Advocate
For Respondent/State	:	Shri Lalit Jangde, Dy.G.A.
For Objector	:	Shri Avinash Chand Sahu, Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/06/2021

Heard.

1. The applicant has been arrested in connection with Crime No.117 of 2020 registered at Police Station- S. Lohara, District Kabirdham (CG) for the alleged commission of offence under Section 376(2)(n), 342, 506, 34 of IPC.
2. Prosecution case is that the applicant on a false pretext of marriage sexually exploited the applicant and she was kept in wrongful confinement in his own house, she was threatened, tortured and sexually exploited.
3. Learned counsel for the applicant would submit that the allegations are false and fabricated and an afterthought. It is a case where the applicant and the prosecutrix were entangled in love affair for a very long time and when marriage could not materialize, all kind of allegations are made by the prosecutrix against the present applicant. He would submit that in similar case, co-accused has been granted anticipatory bail by this Court, therefore, the applicant may also be granted anticipatory bail.

4. On the other hand, learned counsel for the State and Objector oppose the prayer for grant of bail by submitting that the allegations as leveled against the applicant are of not only sexual exploitation but all this done in wrongful confinement that the prosecutrix was kept in his own house and with all threat and physical violence she was tortured and sexually exploited.
5. Taking into consideration the nature of allegation and particularly the allegation that prosecutrix was kept in wrongful confinement there she was threatened, tortured and sexually exploited, no case for grant of bail is made out. The application is therefore rejected. However, the trial Court is directed to expedite the trial and conclude as early as possible.

Sd/-
(Manindra Mohan Shrivastava)
Judge