

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.8729 of 2021

- Hriday Lal Manhara, S/o Gorelal Manhara, Aged About 22 Years, R/o Village - Gudguda, Thana and Tahsil Arang, District Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station House Officer, Thana Mandir Hasod, District Raipur, Chhattisgarh

---- Respondent

For Applicant	Mr. Dheerendra Pandey, Adv on behalf of Mr.
	Deepak Jain, Adv
For Respondent	Ms. Smita Jha, PL

Hon'ble Justice Shri Deepak Kumar Tiwari

Order On Board

20/12/2021

1. The applicant has preferred this first bail application under Section 439 of CrPC for grant of regular bail, as he has been arrested in connection with Crime No.412/2021, registered at Police Station Mandir Hasod, District Raipur for the offence punishable under Sections 376 & 452 of IPC.
2. The case of the prosecution in brief is that the applicant committed forcible sexual intercourse with the prosecutrix. When the mother-in-law of the prosecutrix came to the spot, he ran away and while running away, he fell down and sustained injuries also. Thereafter, the offence has been registered against the applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant and the husband of the prosecutrix are known to each other. They work in the same place and there was a dispute between them, in which the husband of the prosecutrix along with other persons committed maarpeet with the applicant. The applicant has not committed any offence and the false case has been registered against the applicant. He further submits that the applicant is in jail since 16.10.2021, therefore, he may be released on bail.
4. Per contra, learned State counsel opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, particularly the statement of mother-in-law of Smt. Meena Yadav who stated that after listening the cry of her daughter-in-law, she reached the spot, so looking to such statement, this Court does not find fit to enlarge the applicant on bail at this stage.
7. Accordingly, the bail application is dismissed. However, the liberty is reserved in favour of the applicant to revive the application after examination of the prosecutrix.

Sd/-
Deepak Kumar Tiwari
Judge