

(2018) 07 CHH CK 0140

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 4357 Of 2018

Shatrughan Singh @ Raj Singh

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision: July 2, 2018

Acts Referred:

- Indian Penal Code, 1860 - Section 376, 511
- Code Of Criminal Procedure, 1973 - Section 439
- Protection Of Children From Sexual Offences Act, 2012 - Section 4

Hon'ble Judges: Goutam Bhaduri, J

Bench: Single Bench

Advocate: B.D. Guru, S.K. Mishra

Final Decision: Dismissed

Judgement

Goutam Bhaduri, J

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been

arrested on 20.09.2017 in connection with Crime No.277/2017 registered at Police Station Pandari, District Raipur (CG) for the offence punishable

under Sections 376 & 511 IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

2. As per the prosecution case, a report was made by a lady that the present applicant who is her husband tried to outrage the modesty and commit

rape of her own daughter. She stated that initially the matter was not reported but subsequently after consultation with her father, the instant report is made.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated and the complainant/wife is trying to lodge report right from 2008, however, subsequently this instant report has been made, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the victim as also the mother. Considering the same, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application is dismissed.