

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3247 OF 2015**

Jeevan Mandavi, aged about 20 years, S/o Magauram Mandavi, R/o Village Kulhadkatta, Thana and Tahsil Bhanupratappur, Distt. U.B. Kanker

---Applicant**Versus**

The State of Chhattisgarh, through Distt. Magistrate U.B. Kanker

---Non-applicant

For Applicant	:	Mr. Parag Kotecha, Advocate.
For-Non-applicant	:	Mr. Anant Bajpai, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****14/07/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 81/15, registered at Police Station Bhanupratappur, , for the offence punishable under Sections 363, 376, 346 of Indian Penal Code.

2. Case of the prosecution, in brief, is that, applicant is alleged to have kidnapped and committed sexual intercourse with prosecutrix on the pretext of marriage and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the offence in question. He would further submit that there is delay in lodging First Information Report. He would further submit that no useful purpose would be served by keeping him in jail. He would lastly submit that applicant is in jail since 22/04/2015, therefore, he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence and the manner, in which, applicant has allegedly kidnapped and taken the prosecutrix to dense forest and alleged to have committed sexual intercourse with her, this Court is not inclined to release the applicant on regular bail.
7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.
8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE