

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3807 of 2015**

- Jugrai, S/o. Ghuraaram, aged about 40 years, R/o. Chandan, P.S. Rajadevri, Tahsil Kasdol, Civil and Revenue District Baloda Bazar – Bhatapara (C.G.)

**---- Applicant****Versus**

- State Of Chhattisgarh Through: Police Station Kasdol, Chowki, Rajadevri, District Baloda Bazar, Bhatapara (C.G.)

**---- Non-applicant**


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For Applicant: Mr. Keshav Dewangan, Advocate.  
 For Respondent/State: Mr. Vivek Singhal, Panel Lawyer,

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****10/08/2015**

Heard.

(1) This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.10/2015 registered at Police Station Kasdol, Chowki, Rajadevri, District Baloda Bazar-Bhatapa (C.G.), for the offence punishable under Section 376(Gh)/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant & two other co-accused persons have gang raped the prosecutrix and, thereby, committed the aforesaid offence.

(3) Counsel for the applicant submits that there is five days delay in lodging the First Information Report as the incident had taken place on 4.2.2015 whereas FIR has been lodged on 9.2.2015 and there is no explanation for the said delay. He further submits the applicant neither named in the FIR nor in the written report and he has falsely been implicated in the offence in question on account of political reasons and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case and the manner in which the prosecutrix is said to have been gang raped by the applicant & other two co-accused persons, I am not inclined to release the applicant on bail. Therefore, the bail application is rejected.

Certified copy, as per rules.

**Sd/-**  
(Sanjay K. Agrawal)  
Judge

D/-