

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3822 OF 2015**

Ramsharan S/o Gangaram, aged about 55 years, R/o village Ragda, Police Station and Tahsil Surajpour, Civil and Revenue District Surajpur, District Surajpur (CG)

---Applicant**Versus**

State of Chhattisgarh Through : Station House Officer, police of Police Station-Surajpur, out post Basdai, District-Surajpur (CG)

---Non-applicant

For Applicant	:	Mr. Anil Gulati, Advocate.
For-Non-applicant	:	Mr. O.P.Sahu, Govt.Advocate

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

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.559/2015, registered at Police Out Post Basdai, Police Station-Surajpur, Distt.Surajpur (C.G.), for the offence punishable under Sections 376 and 506 of the IPC.

2. Case of the prosecution, in brief, is that, the present applicant is said to have committed sexual intercourse with the prosecutrix and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. The prosecutrix was major and consenting party and there is delay of three days in lodging the F.I.R. Learned counsel would further submit that the applicant is

in jail since 19.3.2015 and charge-sheet has already been filed.

4. 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; 161 statement of the prosecutrix and other available evidence, 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

B/-