

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5510 OF 2015**

Ramesh Nagwanshi S/o Anand Nagwanshi aged about 25 years R/o Vijay Nagar Konpara Police Station Kapu District Raigarh (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through Station House Officer Police Station Lailunga District Raigarh (C.G.)

---Non-applicant

For Applicant	:	Mr. Ashish Gupta, Advocate
For Non-applicant	:	Mr. Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****13/10/2015**

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. 140/2013, registered at Police Station Lailunga District Raigarh (C.G.), for the offence punishable under Sections 363, 366, 376 of I.P.C.

2. Case of the prosecution, in brief, is that applicant abducted and kidnapped the prosecutrix and committed sexual intercourse with her since 05/04/2012 till the date of lodging the FIR on 19/06/2013.

3. Learned counsel for the applicant submits that present applicant has not committed any offence and has been falsely implicated in offence in question. He further submits that there is no medical evidence to support the crime in question. He lastly submits that charge sheet has been filed and applicant is in jail since 05/08/2014, therefore, the applicant may be released

on regular bail.

4. On the other hand, learned counsel for the State opposes the prayer for grant of bail.

5. I have heard the counsel appearing for the parties and perused the case diary.

6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicant in offence in question, pre-trial detention of the applicant and charge-sheet has already been filed, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is ordered that the applicant shall be released on bail on his furnishing a personal bond of **Rs.25,000/-** along with one surety of the like amount to the satisfaction of the trial Court for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE