

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2972 OF 2015**

Krishna Yadav S/o Shri Geso Yadav, aged about 25 years, R/o village Turiyabeera Kataidand, P.S. Lundra, Civil & Revenue, Distt. Ambikapur (Surguja) (C.G.)

---Applicant

Versus

State of Chhattisgarh, through, Station House Officer, Police Station Lundra, Civil & Revenue, Distt. Ambikapur (Surguja) (C.G.)

---Non-applicant

For Applicant	:	Mr. Sunil Sahu, Advocate.
For-Non-applicant	:	Mr. S.R.J. Jaiswal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****04/08/2015**

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. 16/2015, registered at Police Station Lundra, Distt. Surguja (C.G.), for the offence punishable under Section 376 of I.P.C.

2. Case of the prosecution, in brief, is that, on 27/02/2015, at about 6.00 AM, applicant committed sexual intercourse with the victim 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 no medical evidence. He would lastly submit that charge sheet has been filed and applicant is in jail

since 28/02/2015, therefore, he may be released on bail.

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; statements of victim, Loribai, Jay Kunwar and Sanjay Nagesh, 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

Tiwari