

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 3139 OF 2015**

1. Rambhajan Kanediya S/o Late Baban Ram Kanediya, aged about 21 years, R/o Village Kuridih, Police Station & Tahsil Bhaiyathan, Revenue and Civil District Surajpur (C.G.)
2. Sandeep Kumar Paikra S/o Sahettar Ram Paikra, aged about 19 years, R/o Village Kusmusi, Police Chowki Basdei, Police Station Surajpur, Tahsil Surajpur, Revenue and Civil District Surajpur (C.G.)

---Applicants**Versus**

State of Chhattisgarh, Through Police Station Surajpur, District Surajpur (C.G.)

---Non-applicant

For Applicants	:	Mr. P.K. Patel, Advocate
For Non-applicant	:	Mr. O.P. Sahu, Govt. Advocate

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

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 applicants, who have been arrested in connection with Crime No. 436/2014, registered at Police Station Surajpur District Surajpur (C.G.), for the offence punishable under Sections 302, 201, 376D of Indian Penal Code, and Under Section 4 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that applicants are said to have gang raped with the prosecutrix and alleged to have strangled her.
3. After hearing learned counsel appearing for the parties and taking into consideration the nature and gravity of offence; evidence collected by the

prosecution and manner, in which, girl/prosecutrix was gang raped and strangled by the applicants, this Court is not inclined to release the applicants on regular bail.

4. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

5. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Tiwari