

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 3236 OF 2015**

Suresh Sonkar S/o Jageshwar Sonkar, aged about 26 years, R/o Banglawpara, Charama, P.S. Charama, Civil & Revenue Distt. Uttar Bastar Kanker (C.G.).

---Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station Charama, Distt. Uttar Bastar Kanker (C.G.).

---Non-applicant

For Applicant	:	Mr. Awadh Tripathi, Advocate
For Non-applicant	:	Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****13/07/2015**

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.92/2015** registered at Police Station Charama, Distt. Uttar Bastar Kanker (C.G.) for the offence punishable under Sections 363, 366, 376(g)(d), 343, 346, 506/34 of I.P.C. and Section 4 POCSO Act, 2012.

2. The case of the prosecution, in brief, is that, applicant and other co-accused persons are alleged to have abducted the prosecutrix and committed gang rape with her and thereby committed offence.

3. Learned counsel for the applicant would submit that present applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that there is no allegation against the present applicant. Learned counsel for the applicant would lastly submit that charge sheet has been filed and applicant is in jail since

04/04/2015, therefore, he is entitled to be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that there is sufficient material against the present applicant to connect him in offence in question and it is case of gang rape of two girls committed by the present applicant along with other co-accused persons.

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 and further taking into consideration the nature and gravity of offence and manner, in which, gang rape is alleged to have committed by the present applicant and other co-accused persons, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Code of Criminal Procedure is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE