

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3284 of 2015**

- Hiralal Chouhan S/o Shri Jogendra Chouhan @ Kabadi, aged about 55 years, R/o Tarpali Raigarh, Present residing at Koriyadadar, Police Station Chakradhar Nagar, District Raigarh (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through: Station House Officer, Police Station : Chakradhar Nagar, District: Raigarh (C.G.)

---- Non-applicant

For Applicant: Shri Amit Singh, Advocate.

For Non-applicant/State: Shri Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****14/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 133/2015 registered at Police Station – Chakradhar Nagar, District Raigarh for the offences punishable under Sections 376 & 323 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that the applicant is alleged to have committed sexual intercourse with the prosecutrix, who is aged about 70 years, and also injured her

and, thereby, committed the aforesaid offences

(3) Counsel for the applicant submits that applicant has falsely been implicated in the crime in question as has not committed any offence. He further submits that applicant is in jail since 24.05.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Looking to the nature & gravity of the offence; and the manner in which the applicant is alleged to have committed sexual intercourse with the prosecutrix, aged about 70 years, and have injected wooden stick in her private part; I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-