

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3503 OF 2015**

Mahendra Yadav S/o Suneshwar Yadav Aged about 32 years, R/o Village –
Ratiha Damr Para, Talkeshwarpur, P.S.-Sanawal, Distt.Balrampur-
Ramanujganj (CG)

---Applicant

Versus

State of Chhattisgarh Through : Police Station – Sanawal, Distt.Balrampur-
Ramanujganj (CG)

---Non-applicant

For Applicant	:	Mr.Vineet Kumar Pandey, Advocate
For-Non-applicant	:	Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****27/07/2015**

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 applicant who has been arrested in connection with Crime No.9/2015, registered at Police Station Sanawal, Distt.Balrampur-Ramanujganj (CG), for the offence punishable under Section 376 of the IPC.

2. Case of the prosecution, in brief, is that, on 12.4.2015 the applicant has committed sexual intercourse with the prosecutrix and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has falsely been implicated in crime in question. He would further submit that applicant is in jail since 15.4.2015 and charge-sheet has already been filed.

4. On the other hand, learned State counsel would oppose the bail application.

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, statement of the prosecutrix under Section 164 of the Cr.P.C. and the material collected on behalf of the prosecution, 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

B/-