

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3866 of 2015**

Tarun Singh S/o Late Dev Singh, aged about 30 years, R/o Tarbahar,
Khudiram Bose Chowk, P.S. Tarbahar, Bilaspur, District Bilaspur (CG)

---Applicant**Versus**

State of C.G. through P.S. Tarbahar, Bilaspur, District Bilaspur (CG)

---Non-applicant

For Applicant	:	Mr. Vijay Kumar Mishra, Advocate.
For-Non-applicant	:	Mr. Anupam Dubey, Govt. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****10/08/2015**

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.111/2015, registered at Police Station-Tarbahar, Bilaspur, Distt.Bilaspur (CG), for the offence punishable under Sections 376 & 506B of the IPC and Section 3 (1) (12) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2. Case of the prosecution, in brief, is that, the applicant is alleged to have raped with the prosecutrix on 4.11.2014 and thereafter, who is a member of Scheduled Caste and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. He would further submit that applicant is in jail since 17.5.2015, there is delay of six months in lodging the F.I.R., as such, she is major and consenting party,

charge-sheet has been filed on 17.5.2015 and no useful purpose would be served by keeping him in jail.

4. 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; also considering the statements of the prosecutrix, her mother-in-law and her husband and reasons given for lodging F.I.R. after six months, 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/-