

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3815 OF 2015**

Parmeshwar Baghel S/o. Late Purushoti Baghel aged about 38 years,
residing at Pilapadar para Village Gumdel P.S. Nagarnar Revenue and Civil
District Bastar (CG)

---Applicant

Versus

State of Chhattisgarh; Through : The Police Station Nagarnar, District Bastar
(CG)

---Non-applicant

For Applicant	:	Mr.P.K.Tulsyan, Advocate.
For-Non-applicant	:	Mr.Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****11/08/2015**

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. 124/2015, registered at Police Station-Nagarnar, District Bastar (C.G.), for the offence punishable under Section 376 of the IPC.

2. Case of the prosecution, in brief, is that, in the intervening night of 6/7.5.2015 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 been falsely implicated in the case. Learned counsel would further submit that there is delay in lodging the F.I.R. as the F.I.R. has been lodged on 16.6.2015 and the incident has been

occurred in the intervening night of 6/7.5.2015, the prosecutrix is 21 years aged girl and medical test is negative, therefore, the applicant is entitled to be released on regular bail.

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 and the manner in which the applicant is alleged to have committed intercourse with the prosecutrix along with reason for delay in lodging the F.I.R., 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/-