

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.6056 OF 2015**

Tiranga S/o Netram Satnami, aged about 22 years, R/o Village – Khamhariya, Police Chowki-Lawan, P.S.-Kasdol, Civil & Revenue Distt.Balodabazar-Bhatapara (CG)

---Applicant**Versus**

State of Chhattisgarh, through Police Chowki, Lawan, Police Station-Kasdol, Distt.Balodabazar-Bhatapara (CG)

---Non-applicant

For Applicant	:	Mr. A.S. Rajput, Advocate.
For-Non-applicant	:	Mr. Ajit Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****21/12/2015**

1. This is the second 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.78/2015, registered at Police Chowki-Lawan, Police Station-Kasdol, District Balodabazar-Bhatapara (C.G.), for the offence punishable under Sections 363, 366, 376 & 120B of the IPC Section 3 & 4 of the POSCO Act.

2. Learned counsel for the applicant would submit that other co-accused namely Rajkumar, Purushottam, manoj and Gondil have been granted bail by this Court and case of the present applicant is similar to that of co-accused. He would further submit that the applicant is in custody since 7.9.2015, therefore, he may be released on bail.

3. On the other hand, learned counsel for the State would oppose the

bail application and submit that prosecutrix was minor on the date of incident and the present applicant has committed sexual intercourse with the prosecutrix against her will and other co-accused caught hold her.

4. I have heard learned counsel for the parties and perused the case diary.

5. Taking into consideration the facts and circumstances of the case, further taking into consideration the nature and gravity of the offence, role of the present applicant and role of the other co-accused persons who have been granted bail, this Court is not inclined to release the applicant on regular bail.

6. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

7. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-