

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.4990 of 2015

Illiazer Ram, S/o Ohlad Ram, aged about 43 years, Caste Agaria, R/o Kasabail, P.S. Kasabail, District Jashpur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Police Station Kasabail, District Jashpur (C.G.)

---- Non-applicant

For Applicant:	Mr. Atanu Ghosh, Advocate.
For Non-applicant:	Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

21/09/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.102/2015, registered at Police Station Kasabail, Distt. Jashpur, for the offence punishable under Section 376 of the IPC.
2. Case of the prosecution, in brief, is that on 26-1-2015, the applicant forcefully committed sexual intercourse with the prosecutrix and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. FIR is delayed by four months having been lodged on 28-5-2015 and the applicant is in jail since 29-5-2015. Charge-sheet has been filed and no useful purpose will be served by detaining the applicant in jail.
4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, evidence available against the applicant and the manner in which the applicant being a married person is said to have committed sexual intercourse with the prosecutrix, I am not inclined to grant regular bail to the applicant. Consequently, the application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge