

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5102 of 2015**

Pradeep Kumar @ Rahul, S/o. Manharan Lal Kashyap,
aged 24 years, R/o. Vill: Jamdi, Post Malda, P.S. Hasod,
Distt. Janjgir-Champa at present Rajnandgaon (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh Through: Station House Officer, P.S.
Saja, Distt. Bemetara (C.G.)

---- Respondent

For Applicant: Mr. Ajay Ayachi, Advocate.
For Respondent/State: Mr. Ashuthosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****12/10/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.170/2015 registered at Police Station Saja, Distt. Bemetara (C.G.) for the offences punishable under Sections 366, 342, 506, 354A(1) & 392 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 8-5-2015, the applicant and one another co-accused abducted the complainant and co-accused Rahul confined her in his house and outraged her modesty and also robbed her ornaments.

(3) Counsel for the applicant submits that there is delay of two months in lodging the First Information Report as the incident had occurred on 8.5.2015 whereas FIR has been lodged 20.7.2015 without any explanation and the applicant has been arrested on 22.07.2015 and the charge sheet is yet to be filed but substantial investigation has already been made and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State submits that robbed articles have been seized from the possession of the applicant and, therefore, the applicant may be released on bail.

(5) Taking into consideration the nature and gravity of the offences; robbed articles have been seized from the possession of the applicant; and the case of the present applicant is distinguishable to the other co-accused person, who has been granted bail by this Court in M.Cr.C. No.5084/2015, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-