

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 652 OF 2016**

Ramu Tandon S/o Devsingh Tandon aged about 47 years Resident of village Navagaon Police Station Rakhi District Raipur (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through its Police Station Rakhi District Raipur Civil and Revenue District Raipur (C.G.).

---Non-applicant

For Applicant	:	Mr. B.L. Sahu, Advocate.
For-Non-applicant	:	Mr. Vivek Singhal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****18/02/2016**

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. 75/2015, registered at Police Station Rakhi, District Raipur (C.G.), for the offence punishable under Sections 450 & 376 of I.P.C. & Sections 4 & 6 of PACSO Act.
2. Case of the prosecution, in brief, is that, on 29/08/2015, applicant entered into the house of minor prosecutrix, who is physically disabled and mentally retired and thereby committed 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 29/08/2015 and no useful purpose would be served by keeping him in jail. He would lastly submit that charge sheet has been filed, therefore, he may be released on bail.

4. Learned State counsel would oppose the prayer for grant of bail.
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; testimonies of eye-witnesses; medical evidence; material collected by the prosecution and the fact that prosecutrix is minor physically disabled and mentally retired girl, 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