

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1371 of 2016**

Rajaram Turiya, S/o Vijay Turiya, aged about 21 years, R/o Village Hargawan, PS Shankargarh, Dist.Balrampur-Ramanujganj (CG)

---Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, PS Lundra, Dist. Sarguja (CG)

---Non-applicant

For Applicant	:	Mr. Jitendra Shrivastava, Advocate
For Non-applicant	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

15/03/2016

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.113/2015, registered at Police Station-Lundra, District-Sarguja (CG), for the offence punishable under Sections 506, 366, 376, 114 and 120B of the IPC.

2. Case of the prosecution, in brief, is that one co-accused Raju Turi abducted the prosecutrix and committed sexual intercourse with her and the present applicant assisted the said co-accused.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that there is delay of 22 days in lodging the F.I.R., charge-sheet has filed and rape has been committed by co-accused Raju Turi. The applicant is in jail since

19.10.2015.

4. On the other hand, learned counsel for the State 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 & circumstances of the case, nature & gravity of the offence, role of the present applicant and the fact that rape has been committed by co-accused Raju Turi, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-