

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 964 OF 2016**

Jaggannath Nureti aged about 18 years S/o Sukalu Nureti R/o village Ghodagaon Tahsil Pakhanjore District U.B. Kanker (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through Police Station Pakhanjore, District U.B. Kanker (C.G.)

---Non-applicant

For Applicant	:	Mr. Parag Kotecha, Advocate
For Non-applicant	:	Mr. Ajit Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****03/03/2016**

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. 102/2015, registered at Police Station Pakhanjore, for the offence punishable under Sections 366, 376, 452, 506, 442, 294 of the I.P.C.

2. Case of the prosecution, in brief, is that, applicant

abducted major prosecutrix and committed sexual intercourse with her on 24/12/2014 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 this case. He would further submit that FIR was lodged on 24/09/2015, after delay of nine months. He would further submit that there is no medical evidence. He would lastly submit that charge sheet has been filed and applicant is in jail since 29/09/2015 therefore, he may be released on bail.

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 and circumstances of the case; further taking into consideration the nature and gravity of offence; extent of delay in lodging FIR; medical evidence; charge sheet has already been filed and applicant is in jail since 29/09/2015, this Court is of the opinion that present is the 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 applicant shall be released on bail on 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