

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1302 OF 2016**

Satyam Soni S/o Mahesh Soni aged about 23 years R/o
Bemetara Tahsil/Thana Bemetara District Bemetara
(C.G.)

---Applicant**Versus**

State of Chhattisgarh, through Thana Bemetara District
Bemetara (C.G.)

---Non-applicant

For Applicant	:	Mr. Samir Singh, Advocate
For-Non-applicant	:	Mr. Dhiraj Wankhede, G.A.

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. 738/2015, registered at Police Station Bemetara, District Bemetara (C.G.), for the offence punishable under Sections 365, 376, 506-II of

I.P.C.

2. Case of the prosecution, in brief, is that, on 28/10/2015 applicant and other co-accused robbed Rs.70,000/- from the prosecutrix and taken her to Bhilai and committed sexual intercourse with her.

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 FIR delayed by one year. He would further submit that applicant is in jail since 09/12/2015 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; the manner in which prosecutrix was robbed and was subjected to sexual intercourse for three days, 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