

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.109 of 2016

Dharamsai Pando, S/o Indersai Pando, aged about 25 years, R/o Village Raghunathnagar, Tahsil Wadrafnagar, District Balrampur-Ramanujganj (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Raghunathpur, District Balrampur-Ramanujganj (C.G.)

---- Non-applicant

For Applicant:	Mr. D.N. Prajapati, Advocate.
For Non-applicant:	Mr. Ajit Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

08/03/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.25/2015, registered at Police Station Raghunathpur, Distt. Balrampur-Ramanujganj, for the offence punishable under Sections 376, 506 and 452 of the IPC.
2. Case of the prosecution, in brief, is that on 18-4-2015, the applicant committed sexual intercourse with the major prosecutrix and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. He further submits that the applicant is nephew of the husband of the prosecutrix and as such, false report has been lodged against the applicant. The applicant is in jail since 22-4-2015 and charge-sheet has been filed.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicant and testimony of the eyewitness i.e. husband of the prosecutrix, I do not consider it a fit case to enlarge the applicant on regular bail. The application is, therefore, rejected.

Sd/-
(Sanjay K. Agrawal)
Judge