

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1345 of 2016

Kunjal Chauhan, S/o Paklu Chouhan, aged about 30 years, R/o Village Nimbauguda, P.S. Saraipali, Mahasamund (C.G.) at present Krisnapur, P.S. Kotra Road, Raigarh, Tahsil and Civil & Revenue Distt. Raigarh (C.G.)
 ----- Applicant

Versus

State of Chhattisgarh, Through Police Station Kotwali, Raigarh, Distt. Raigarh (C.G.)
 ----- Non-applicant

For Applicant:	Mr. R.S. Patel, Advocate.
For Non-applicant:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. AgrawalOrder On Board15/03/2016

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.60/2015, registered at Police Station Kotwali, Raigarh, Distt. Raigarh, for the offence punishable under Section 376 of the IPC.
2. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, the manner in which a mentally disabled prosecutrix has been subjected to forceful sexual intercourse by the applicant and the evidence brought on record, I am not inclined to grant bail to the applicant. The application is rejected. However, the trial Court is directed to expedite the trial and conclude the same as early as possible, as four witnesses have already been examined.

Sd/-
 (Sanjay K. Agrawal)
 Judge