

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1724 of 2016

Tarachand Sahu, S/o Shri Narendra Sahu, aged about 21 years, R/o Village Bhatia, Police Station Kharora, District Raipur (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, through Station House Officer, Police Station Kharora, District Raipur (C.G.)

---- Non-applicant

For Applicants:	Mr. Manoj Kumar Dubey, Advocate.
For Non-applicant:	Mr. Ajit Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

17/03/2016

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.276/2015, registered at Police Station Kharora, Distt. Raipur, for the offence punishable under Sections 376(2)(i), 506B, 454 of the IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that on 24-10-2015, the applicant entered into the house of the prosecutrix and by giving threat to her, committed forcible sexual intercourse with her and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant is innocent, he has not committed any offence, he has been falsely implicated in the case, there is delay of two days in lodging the FIR and there is no medical evidence against the applicant. The

applicant is in jail since 27-10-2015. 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 circumstance of the case, role of the applicant and age of the prosecutrix who is said to be minor 15 years on the date of offence, I am not inclined to grant bail to the applicant. Consequently, the application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge