

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2555 of 2016

- Ranjeet Singh Gil @ Rinku Sardar S/O Late Santosh Singh Gil Aged About 32 Years R/O Risali Sector, Quarter No. 20 H, Bhilai, Police Station Nevai, District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Nevai, District Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. B.P. Singh and Mr. P. Khichariya,
Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who have been arrested on 17-07-2015 in connection with Crime No.188 of 2015, registered at Police Station Nevai, District Durg (CG) for the offence punishable under Sections 452, 376 and 506 of IPC and Sections 5 & 6 of the Protection of Children from Sexual Offences Act, 2012.
2. As per case of the prosecution on 17-07-2015 when the prosecutrix was sleeping alone in her room, at that time the applicant entered into her house and forcibly committed sexual intercourse with her and subsequently victim was extended threat with dire consequences if she discloses the incident to anyone.
3. Learned counsel appearing for the applicants would submit that the applicant has not committed any offence and there was money transaction between the father of the victim and the applicant, therefore, the applicant has been falsely implicated in the case. He

would further submit that the applicant is in jail since 17-7-2015 and charge-sheet has been filed in this case, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that there is sufficient evidence to connect the applicant with the crime and the medical report of the prosecutrix was also positive in nature, therefore, he is not entitled to be released on bail.
5. I have heard learned counsel for the parties and perused the case diary
6. Taking into consideration the facts of the case, degree of offence and nature of allegation leveled against the applicant and medical report of the prosecutrix, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju