

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5868 of 2017

Heeralal Uroan S/o Munshi Uroan, Aged About 57 Years R/o Magaji,
Police Station Chando, District Balrampur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Chando, Civil & Revenue District Balrampur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Dashrath Kushwaha, Advocate

For Respondent : Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

22/11/2017

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 has been arrested in connection with Crime No. 27/2016 registered at Police Station- Chando, District Balrampur (C.G.) for the offence punishable under Sections 450,376 of the IPC.
2. As per the prosecution case, on 16.08.2016 the applicant entered into the house of the prosecutrix and after throwing her on the ground the applicant committed forcible intercourse with her.
3. Counsel for the applicant submits that the applicant has been falsely implicated in the case on account of some money transaction. He submits that there is delay in lodging the FIR, therefore, he may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the fact that there is direct evidence against the applicant for commission of rape and he will get opportunity of hearing before the trial Court, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Ram Prasanna Sharma)
Judge

Santosh