

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1514 of 2018**

Rakesh @ Dalan Bandhe, S/o Shri Anand Bandhe, Aged 24 years, R/o Village Lanja,
P.S. - Kharora, Distt. - Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through: P.S. - Kharora, Distt: Raipur (C.G.)

---- Non-applicant

For Applicant	:	Mr. Devershi Thakur, Advocate
For Non-applicant	:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board**

16/04/2018

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 20/2018 registered at Police Station Kharora, Distt. Raipur (C.G.) for the offence punishable under Sections 376 & 450 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 10.1.2018, applicant entered into the house of the prosecutrix unauthorisedly and committed sexual intercourse with her against her will and thereby committed the aforesaid offences.

(3) Learned counsel for the applicant submits that prosecutrix is a major girl and she is consenting party to act of the applicant. He further submits that applicant is in jail since 13.01.2018; and the trial is likely to take some more time for its final disposal ; charge sheet has already been filed and no useful purpose would be served in keeping him in custody

and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel appearing for the State submits that FIR has promptly been lodged against the applicant; and there is overwhelming evidence available on record to connect the applicant with the crime in question and, as such, the applicant is not entitled for grant of regular bail.

(5) Considering the totality of the facts of the case, in particular the fact that prompt FIR has been lodged against the applicant and the manner in which the offence is said to have been committed, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

