

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2316 of 2018**

- Panchram Sonkar, S/o Late Shri Brijlal Sonkar, Aged about 64 years, R/o Village – Nandai, Thana – Basantpur, Tahsil Rajnandgaon, Civil & Revenue District Rajnandgaon (C.G.) ---- **Applicant**

Versus

- State of Chhattisgarh, Through Station House Officer, Police Station Basantpur, Civil & Revenue District Rajnandgaon (C.G.) ---- **Non-applicant**

For Applicant	:	Mr. Sunil Sahu, Advocate.
For Non-applicant/State	:	Mr. Gary Mukhopadhyay, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****07/05/18**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who have been arrested in connection with Crime No.427/2017 registered at Police Station Basantpur, District Rajnandgaon (C.G.) for the offence punishable under Sections 376, 452, and 506 of the IPC and Sections 3(1)B, 3(2)(v)(A) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

2. Case of the prosecution, in brief, is that the applicant has committed sexual intercourse with the prosecutrix and thereby committed the aforesaid offences.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and has been falsely implicated in crime in

question, charge sheet has been filed, the applicant is in jail since 23-11-2017 and no useful purpose will be served by detaining him in jail, therefore, he may be released on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case, further taking into consideration the nature and gravity of the offence and the medical evidence available on record, this Court is not inclined to extend the benefit of regular bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected. However, the trial Court is directed to expedite the trial.

Sd/-
(Sanjay K. Agrawal)
Judge