

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7096 of 2018**

Jitendra Dewangan S/o Bisan Dewangan Aged About 33 Years R/o
Hatkongera Kanker Police Station Kanker District North Baster Kanker
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer Police Station
Kanker District North Baster Kanker Chhattisgarh.

---- Respondent

For the Applicant	:	Shri D.N. Prajapati, Advocate
For the State	:	Shri R.K. Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**12/11/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No. 114/2018 registered at Police Station Kanker, District North Bastar Kanker (C.G.) for the offence punishable under Sections 498-A, 376, 323 of IPC and Section 4,6 and 12 of the POCSO Act.
3. Case of the prosecution, in brief is that applicant is the husband of the prosecutrix. He was harassing her. In January 2017 he had inserted chilli powder in private part of the prosecutrix. He used to drink her liquor. He used to commit sexual intercourse with her in the presence of minor children. He used to his minor daughter to suck his private part.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application. He further submits that there is no previous antecedents against the applicant.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected. However, trial Court is directed to expedite the trial.

Sd/-
(Sharad Kumar Gupta)
Judge