

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 373 of 2019**

Gangadhar Yadav S/o Shri Demu Ram Yadav Aged About 35 Years
Caste Mahakul, R/o Village Kukargaon (Haldi Jhariya), Thana
Bagbahar, Civil And Revenue District- Jashpur, Chhattisgarh., District :
Jashpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer Polie Station-
Bagbohar, Civil And Revenue District- Jashpur, Chhattisgarh., District :
Jashpur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sumit Shrivastava, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**04/02/2019**

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.15/2017 registered at Police Station Bagbahar, District Jashpur (C.G.) for the offence punishable under Section 376 of IPC.
3. Case of the prosecution, in brief is that prosecutrix is aged about 25 years old. She is resident of village Haldijhiriya. Applicant was molested her demanding sex. On 31/01/2017 about 04.30 a.m. she had gone to defecation to field. Applicant reached there gave threats to kill and committed sexual intercourse with her.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Counsel for the applicant further submitted that husband of the prosecutrix was in jail and had developed the relation with applicant, thus he may be released on bail.
7. 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

Sd/-
(Sharad Kumar Gupta)
Judge