

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2596 of 2019**

Manoj Kumar Kujur S/o Father Kujur Aged About 24 Years R/o Village-Bundiya, Police Station- Bhatgaon, District- Surajpur, Chhattisgarh.,
District : Surajpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station- Bhatgaon, District-Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Pushkar Sinha, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**30/04/2019**

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.217/2018 registered at Police Station Bhatgaon, District Surajpur (C.G.) for the offence punishable under Section 376 (2)(6), 450 of IPC.
3. Case of the prosecution, in brief is that prosecutrix is about 21 years of age. She is resident of village Bundiya. She is weak minded girl. On 27/11/2018 at about 14.00 hours applicant entered in the house of prosecutrix and committed forcible sexual intercourse with her.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case. He further submitted that medical evidence does not support the prosecution case, thus, he may 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. Looking to the above mentioned facts and circumstances of the case, looking to the *prima facie* material available on record against the applicant, 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, the trial Court is directed to dispose of the case as early as possible.

Sd/-
(Sharad Kumar Gupta)
Judge