

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6577 of 2019**

- Leeladhar Chaturvedi S/o Shri Ghasiyaram Aged About 22 Years, R/o Satnamipara, Gondpendri, P.S. Utai Tahsil And District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : District Magistrate Durg District Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Vipin Tiwari, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03/12/2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 203/2019 registered at Police Station Utai, Durg District-Durg (C.G.) for the offence punishable under Sections 376-D, 450, 506, 34 of the IPC.
2. The prosecution story, in brief is that, complainant Smt. Yogeshwari Markandey lodged a report that on 13.06.2019 when she was completed her house work and sitting inside her home then the present applicant and another co-accused Bhokochand @ Balakdas Baghel came there and forcefully committed gang rape by closing her mouth, and when her mother came they absconded from there. Based on this offence has been registered against the present applicant and other co-accused. Present applicant has been

taken into custody on 14.06.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. The applicant is in jail since 14.06.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application submitting that the applicant did a very heinous crime to commit gang rape so, it is not a fit case to release him on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**