

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1480 of 2020**

Daulat Sonkar S/o Kirtan Sonkar Aged About 28 Years R/o Village Amlidih,
P. S. Dongargaon, District Rajnandgaon Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station House Officer, P. S.
Dongargaon, District Rajnandgaon Chhattisgarh.

---- Respondent

For the Applicant : Shri Suresh Kumar Verma, Advocate.
For the Respondent/State : Shri Ravish Verma, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****02.06.2020**

Heard.

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 has been arrested in connection with Crime No.333 of 2019, registered at Police Station – Dongargaon, District – Rajnandgaon, Chhattisgarh for the offence punishable under Section 376(d) of the Indian Penal Code and Sections 4 and 8 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicant is in jail since 20.12.2019 and has been falsely implicated in this case. The main accused in this case is Bittu @ Yuvraj Sinha. The applicant was only his associate and he has not committed any offence. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that according to the statement given by the prosecutrix this applicant and the main accused both have committed the offence of gang-rape. Hence, no case is made out for grant of regular bail to the applicant.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, co-accused – Bittu @ Yuvraj Sinha and this applicant both gave lift to the prosecutrix and by taking her to a lonely place both of them committed the offence of gang-rape. The prosecutrix got depressed and made an attempt to commit suicide.

6. The consequences that has followed in this case in the shape of attempt to commit suicide by the prosecutrix, I am of this view that it is not a fit case to grant regular bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge