

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4099 of 2020

Pramod @ Pratap Rajput, S/o. Durga Singh Rajput, aged about 22 Years,
R/o. Station Bankal, Police Station Lalbag, District Rajnandgaon
Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : Police Station Lalbag, District Rajnandgaon
Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pushpendra Kumar Patel, Advocate
For Respondent/State	: Mr. Sudeep Agrawal, Dy.AG.
For Objector	: Mr. Rakesh Thakur, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

04/08/2020

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.59/2019, registered at Police Station – Lalbag, District – Rajnandgaon (C.G.) for the offence punishable under Section 450, 294, 342, 376(2)/376(3) of Indian Penal Code and Section 4 of Protection of Children from Sexual Offences Act) & Section 3 (1)(R) (D), 3 (2) (V) of S.C. & S.T. (Prevention of Atrocities) Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant. The applicant is in jail since 08.02.2019. The trial

against the applicant is held-up because of the present pandemic situation. Therefore, it is prayed that the applicant may be granted 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 the trial against the applicant is at the judgment stage, therefore, no case is made out for grant of bail.
4. Counsel for the objector submits that he has strong objection in grant of bail to the applicant.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. As per the prosecution case, it is alleged that this applicant committed house trespass in the house of the minor prosecutrix then after bolting the door from inside, he forcefully committed rape with her.
7. After considering on the submission and the facts of the case and also that the trial has almost matured and that the present closure of normal functioning of the Courts due to pandemic situation is not going to continue for long, hopefully, therefore this Court is of the opinion that present is not a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge