

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4149 of 2020**

- Fulchand Yadav S/o Dhannu Lal Yadav Aged About 35 Years
R/o Village Sadhwani, Police Station Gourela, District
Gourela Pendra Marwahi Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer,
Police Station Gourela, District Gourela Pendra Marwahi
Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Yogendra Chaturvedi, Advocate
For Respondent-State	:-	Mr. K.K. Singh, G.A.

Proceedings through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra**
Order On Board**31/08/2020**

1. Heard.
2. The applicant has preferred this application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.71/2019 registered in Police Station Gourela, District Gourela-Pendra-Marwahi C.G. for the offence punishable under Section 376 of the I.P.C.
3. Case of the prosecution, in brief, is that the applicant committed rape with the prosecutrix at 12 noon on

26.02.2019, when she was going to hospital. At the time of incident, the applicant was drunk. Although, there is delay of two days in lodging the FIR but the prosecutrix would explain that the delay occurred because the matter was consulted amongst family members.

4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the entire fact situation of the case, this Court is not inclined to release the applicant on bail at this stage.
6. Accordingly, the bail application is rejected reserving liberty in favour of applicant to revive the prayer after examination of prosecutrix.

SD/-
(Prashant Kumar Mishra)
Judge

Ayushi