

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5484 of 2020**

- Gainsingh Nagesh, son of Shri Gangaram Nagesh Aged About 33 Years R/o Village Charouda, Police Station Chhura, District Gariyaband, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Chhura, District Gariyaband, Chhattisgarh

---- Respondent

For Applicant
For Respondent /State

Mr. CR Sahu, Advocate
Mr. Fouzia Mirza, Additional Advocate
General

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****3/11/2020**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.93/2018 registered at Police Station Chhura, District Gariyaband (CG) for the offence punishable under Sections 376, 511 of the IPC.
3. The applicant has attempted to commit rape with a mentally

retarded girl. There is a statement of Gendlal, neighbour of the prosecutrix, who reached the place when the applicant was trying to ravish the prosecutrix. It is not that the applicant has only attempted to commit rape. Had Gendlal not reached the place, the applicant would have succeeded in committing the rape with the mentally retarded the girl.

4. In view of the nature of allegations, I am of the opinion that present is not a fit case to release the applicant on regular bail.
5. The bail application is dismissed.

Sd/-

(Prashant Kumar Mishra)

Judge

Gowri