

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

(Proceedings through Video Conferencing)

MCRC No. 3384 of 2021

- Keju @ Kejram @Tejram, S/o Khemram, Aged About 18 Years, (Tejram Wrongly Not Mentioned In The Cause Title Of The Bail Rejection Order) Village Hathidob, P. S. Parpodi, District Bemetara, Chhattisgarh. **---- Applicant**

Versus

- State of Chhattisgarh, Through- District Magistrate, Bemetara, Chhattisgarh. **---- Non-Applicant**

For Applicant : Shri Varun Sharma, Advocate
For Non-Applicant/State : Shri Anand Verma, Dy. G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

19.07.2021

- 1) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 24/08/2020 in connection with Crime No. 52/2020 registered at Police Station- Parpodi, District- Bemetara (C.G.) for the offence punishable under Section- 376-D, 376 (2) (I), 506 of IPC.
- 2) Case of the prosecution, in brief, is that on 19.08.2020 the prosecutrix was playing with the village children, at that time, the present applicant alongwith other co-accused forcibly took her to Bhojraj Thakur's kothar in the same village, took off prosecutrix clothes and forcibly made physical relation with the prosecutrix one by one and the applicant also threatened her not to disclose the fact to anyone and run away.
- 3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question, he further submits that the applicant is first offender, he has no criminal

antecedents, there is no likelihood of the applicant tampering with the prosecution evidence or absconding the applicant has been arrested on 24/08/2020 and due to Covid-19 trial is likely to take some time for its final disposal. Therefore, the applicant be released on bail by this Court.

- 4) On the other hand, learned counsel for the Non-Applicant/State vehemently opposes the bail application and submits that the applicant alongwith co-accused committed rape with the prosecutrix and also gave threat to life.
- 5) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the nature of allegation made against the applicant, the manner in which the prosecutrix, a mentally retarded girl, was allegedly subjected to gang rape by the applicant with other co-accused, without commenting anything on merits of the case, I am not inclined to grant bail to the present applicant.
- 6) Accordingly, the bail application is rejected.

Sd/-
(Gautam Chourdiya)
Judge

Nadim