

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6982 of 2021**

- Dilip Lahare, S/o Pillu Lahre, aged about 30 Years, R/o Village Oteband, Police Station and Tahsil Bemetara, District Bemetara, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through the Station House Officer, Police Station Bemetara, District Bemetara, Chhattisgarh.

----Non-applicant

For Applicant	Shri Jitendra Gupta, Advocate.
For State	Shri Chitendra Singh, Panel Lawyer.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

16/12/2021

1. Earlier the applicant had filed MCRC No.3415 of 2021 which was dismissed as withdrawn by this Court vide order dated 03.08.2021.
2. The applicant has preferred this second bail application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.277/2021 registered at Police Station- Bemetara, District Bemetara, C.G. for the offence punishable under Section 376-1, 454 & 506 of Indian Penal Code.
3. As per the prosecution case on 08.05.2021 at about 11:00 am, when prosecutrix was alone in her home, at that time applicant came to her house, caught hold of her hands, took her inside and committed forcible sexual intercourse with her and also threatened her not to disclose the incident to anyone. On report being lodged to the above

effect, the aforesaid offence have been registered against the present applicant.

4. Learned counsel for the applicant submit that applicant is an innocent person and has been falsely implicated in this case. He submits that applicant has not committed any offence nor is involved in commission of any offence as alleged against him. The applicant is in jail since 09.05.2021, charge sheet has already been filed and conclusion of trial is likely to take some time. Therefore, the applicant be released on bail.
5. Learned counsel for the State opposes the bail application.
6. Heard learned counsel for the parties.
7. Considering the facts and circumstances of the case, the gravity of the offence, in particular the statement of PW-4 victim, the fact that out of 16 witnesses, 14 have been examined before the trial Court so far, the trial is on the verge of conclusion and other evidence available with the case diary, without commenting anything on merits of the case, I am not inclined to release the applicant on bail.
8. Accordingly, the bail application is rejected.

Sd/-
Gautam Chourdiya
Judge