

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4204 of 2016

1. Raju @ Yunus Hashib Sayyad, S/o. Aashav, Caste- Muslim, aged about 45 years, R/o. Chokha, P.S. & Tahsil – Punaina, Revenue & Civil District – Nuhu (wrongly mentioned as District – Noto, in the order dated 02.11.2015) (Haryana).

Presently residing at Makdalla, Omti Nagar, P.S. - Omrah, Revenue and Civil District – Surat (Gujrat).

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Janakpur, Revenue & Civil District – Koriya (C.G.)

---- Respondent

For Applicant	: Mr. Rishi Sahu, Advocate
For Respondent/State	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01/08/2016

1. This is the second 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.02/2015, registered at Police Station – Janakpur, District- Koriya (C.G.) for the offence punishable under Section 363, 366(a), 376 (2) of the I.P.C. and 4 & 6 of the Protection of Children from the Sexual Offences Act. The first bail application was dismissed on merits vide order dated 15.12.2015 in M.Cr.C. No.6957 of 2015.
2. Case of the prosecution, in brief, is that the applicant allured the prosecutrix who was a minor and thereafter prosecutrix left

Janakpur, thereafter she reached Shahdol and from Shahdol both applicant and prosecutrix went to Surat, thereafter, applicant committed sexual intercourse with the prosecutrix.

3. Learned counsel appearing on behalf of the applicant is unable to make submission that what change of circumstances has taken place. Considering the same, I am not inclined to release the applicant on bail.
4. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge