

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.4500 of 2016**

Mahesh Verma, S/o Shri Ramuram Verma, aged about 40 years, resident of Village Kharra, Police Station Patan, District Durg, presently residing at Village Aklordih, Police Station Purani Bhilai, District Durg (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Police Station Purani Bhilai, District Durg (CG). **---- Non-applicant**

For Applicant : Shri Siddharth Rathod, Advocate
 For Non-applicant : Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

21/07/2016

- (1) Heard on admission.
- (2) This is the second bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.270/2015, registered at Police Station Purani Bhilai, District Durg, for the offence punishable under Sections 342, 323 and Sections 8 of Prevention of Children from Sexual Offences Act, 2012.
- (3) The applicant's first bail application was dismissed as withdrawn with liberty to file the bail application after examination of material prosecution witnesses by order of this Court dated 24.08.2015 passed in M.Cr.C. No.4228/2015.
- (4) This second bail application has been filed without examination of all material prosecution witnesses and, as such, the second bail

application cannot be entertained in terms of para-2 of the order dated 24.08.2015.

(5) The applicant is free to file bail application in terms of para-2 in the order dated 24.08.2015.

(6) The second bail application as framed and filed is dismissed reserving liberty in favour of the applicant.

(7) However, the trial Court is directed to take appropriate steps to examine remaining material prosecution witnesses and to submit a report as to why all prosecution witnesses have not been examined till now within a period of four weeks.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-