

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.2715 of 2016

Dhan Singh Binjhwar, S/o Bhajan Singh, aged about 20 years, R/o
Khedabahal, Police Station Bango, Distt. Korba (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station
Bango, Distt. Korba (C.G.)

---- Non-applicant

For Applicant:	Mr. Aditya Khare, Advocate.
For Non-applicant:	Mr. Satish Gupta, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

11/08/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.15/2015, registered at Police Station Bango, Distt. Korba, for the offence punishable under Sections 376, 493 of the IPC and 4 of the Protection of Children from Sexual Offences Act, 2012.
2. This is the second bail application filed on behalf of the applicant for grant of regular bail. First bail application has been dismissed as withdrawn with liberty to revive the same after examination of material prosecution witnesses by order dated 9-9-2015 passed by this Court in M.Cr.C.No.4717/2015.
3. After hearing learned counsel for the parties and taking into consideration the age of the prosecutrix, I am not inclined to grant bail to the applicant. The application is, therefore, rejected. However, it appears that twice after fixing the case for evidence, the learned trial

Judge on 3-6-2016 and 2-7-2016 proceeded on leave and therefore evidence could not be recorded. The District and Sessions Judge, Korba is directed to explain for what reason(s) the presiding officer proceeded on leave on said dates after fixing the case for evidence and as to who has granted his leave, and submit report within four weeks.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma