

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 6754 OF 2017

Raju Verma S/o Shri Chandu Verma, Aged About 25 Years R/o Village Bhibhouri, P.S. Borla, Durg, District (Revenue & Civil) Durg, Chhattisgarh.

... Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Dharsinva, District Raipur, Chhattisgarh.

... Respondent

For Applicant	:	Shri Yogesh Pandey, Advocate.
For Respondent-State	:	Ms. M.Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/12/2017

1. This is the first bail application seeking for grant of bail to the Applicant who is in jail since **22.06.2015** in connection with Crime No.176 of 2015 registered at Police Station Dahrsiva, Distt .Raipur, for the offence punishable under Sections 363,376 IPC, Section 4 of POCSO Act and Section 3(1+2) of the ST & SC Act.
2. The allegation against the applicant, as per prosecution, is that he entered into the house of the prosecutrix, a minor girl aged about 15 years, and is said to have taken her to nearby place where he ravished her repeatedly.
3. Learned Counsel for the applicant submits that he is insisting for grant of bail only on the ground of period of custody undergone by the applicant and the fact that prosecutrix inspite of best efforts by the prosecution agency, is not coming forward before the trial court to lead evidence.
4. State counsel opposes the bail application on the ground that the nature of offence is too heinous and the prosecutrix also is a minor.

5. Considering the entire facts and circumstances of the case and the nature of offence, this court is not inclined to grant bail to the applicant at this juncture. However, it is expected that the court below should make all endeavors to make presence of the prosecutrix for evidence. The applicant shall be at liberty to revive the bail application immediately after the prosecutrix is examined.

Sd/-
(P. Sam Koshy)
Judge