

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5314 of 2017**

- Ajay Raghav, S/o Shri Pyare Lal, aged about 21 years, Caste Satnami, R/o Village Chind Satnami Para, PS Sarangarh, District Raigarh, at present SBI Colony Keradol, Ward No.-1, Keradol, PS Podi, District Koriya (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through SHO, Police Station Podi, District Koriya, Chhattisgarh

---- Non-Applicant

For Applicant : Shri Pushkar Sinha, Advocate.
For Non-Applicant : Miss Tripti Rao, Panel Lawyer.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****23/11/2017**

1. The applicant has preferred this bail application for grant of bail as he is arrested in connection with Crime No.5/2017 registered at Police Station Podi, District Koriya for offence under Sections 458, 354, 354(B), 506, 323 and 342 of the IPC and Section 8 of the POCSO Act, 2012.
2. The applicant is facing another trial for similar offence on a report by the same prosecutrix. Therefore, it appears, while on bail in the first case, he has repeated the offence.
3. In this view of the matter, the applicant is not entitled to be released on bail. Accordingly, the application is rejected.

4. Learned counsel for the applicant would argue that the prosecutrix is deliberately avoiding her examination in the Court, therefore, the applicant is not to be blamed.
5. While rejecting the applicant's prayer for bail, it is observed that the trial Court shall expedite the previous trial as well as the present trial and examine the prosecutrix within a period of 3 months from today. If the prosecutrix fails to turn up before the trial Court for her examination, the effect thereof shall be considered when the applicant repeats his prayer for bail. The applicant may revive his prayer before this Court after 3 months.
6. A copy of this order be sent to the trial Court forthwith.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve