

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2309 of 2017

Satyawan Choudhary S/o Shri Motiram Choudhary, Aged About 24 Years R/o
Village Banpur, Thana Lalganj, District Basti Uttar Pradesh

---- Petitioner

Versus

State Of Chhattisgarh Through Police Station Gariyaband, District Gariyaband
Chhattisgarh

---- Respondent

Shri Sachin Singh Rajput, counsel for the applicant/s.
Shri Dhiraj Wankhede, Govt. Advocate for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

18/05/2017

Heard.

This is second bail application.

The applicant has been arrested in connection with Crime No.95/2014 registered at Police Station –Gariyaband, District – Gariyaband (CG) for alleged commission of offences under Section 363, 366, 376 (2) (n) of IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution is that the applicant committed rape on the prosecutrix.

3. Learned counsel for the applicant submits that though the application was earlier rejected by this Court, the prosecutrix has now been examined before the Trial Court and the manner in which she has given contradictory statement in the examination-in-chief and cross examination, renders the entire story of the prosecution highly doubtful. He submits that earlier, the applicant was absconding and examination-in-chief has taken place. Later on, when the applicant was arrested, the prosecutrix has not supported the case of the

prosecution.

4. On the other hand, learned State counsel opposes bail application.
5. Taking into consideration the material on record and that the applicant had remained absconding for a long time and arrested during the pendency of trial and upon grant of bail, he is likely to abscond, I am not inclined to grant bail to the applicant. The application is therefore rejected.
6. Learned counsel for the applicant, at this stage, submits that the Trial Court may be directed to expedite the trial.
7. The Trial Court shall hold the trial expeditiously and conclude the trial as early as possible.

Sd/-
(Manindra Mohan Shrivastava)
Judge