

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2537 of 2017

Ravi Khutiyar, S/o. Rewa Ram Khutiyar, Aged About 25 Years, R/o. Village- At Near Mahuwa Dad Gousiya Masjid, Camp-1 Power House Bhilsi, Police Station- Chawani, Bhilai, Civil & Revenue District- Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through: Station House Officer, Police Station Chhawani, District- Durg, Chhattisgarh

---- Respondent

For Applicant : Mr. S.K.Mishra, Advocate.
For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18.04.2017

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.122/2015 registered at Police Station- Chhawani, District Durg (C.G.) for the offence punishable under Section 376(4) of Indian Penal Code & Section 5 of Protection of Children from Sexual Offences Act, 2012. The first bail application was dismissed as withdrawn on 05.01.2016 with liberty to repeat the same after examination of the prosecutrix.
2. Learned counsel for the applicant submits that though the prosecutrix has been examined but then he could not procure the copy. He further submits that the applicant is in jail since 02.03.2015, therefore, he may be released on bail.
3. Perused the documents. There is nothing on record to show that the prosecutrix has been examined, therefore, considering the facts, I am not inclined to entertain this second bail application, as there is no change of circumstances exist to reconsider this second bail application.
4. Accordingly, the bail application is dismissed at the admission stage itself. However, the Trial Court is requested to expedite the trial.