

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3113 of 2017

1. Mohd. Shamim Ansari, S/o. Mohd. Islam Ansari, aged about 42 years,
2. Mohd. Nasir Ansari alias Raju, S/o. Mohd. Hasan, aged about 25 years.

Both R/o. Manendragarh, Police Station – Manendragarh, District – Korea (C.G.)

----Applicants

Versus

1. State of Chhattisgarh, Through : In-charge, Police Station- Manendragarh, District – Korea (C.G.)

---- Respondent

For Applicants : Mrs. Usha Chandrakar, Advocate

For Respondent/State : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/05/2017

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.329/2016, registered at Police Station – Manendragarh, District – Korea (C.G.) for the offence punishable under Section 341, 365, 366, 354, 34 of Indian Penal Code. The first bail application was dismissed on merits vide order dated 22.11.2016 in M.Cr.C. No.7271/2016.
2. As per prosecution case, a report was made by the victim on 15.09.2016 that she went for her treatment to the hospital and while she was coming back, all of a sudden, one Car stopped and the victim was forcefully taken inside the Car and thereafter took her to a certain place and when the Car was stopped at that time the victim fled away from the Car; thereby to outrage the modesty of the victim, she was

forcefully abducted.

3. Learned counsel for the applicants would submit that the prosecutrix has been examined before the Court below and she has stated that she did not know the abductor. It is further submitted that the applicants are in jail since 16.09.2016, therefore, the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard the learned counsel for the parties.
6. Perused the statement of the victim (P.W.-1). Perusal of the statement prima-facie shows that she has identified the applicants. Therefore, at this stage, it would not be proper for this Court to evaluate the entire statement by reading in between the lines of the cross-examination. Accordingly, I do not find any change of circumstances to reconsider the bail application again.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge