

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4345 of 2017

Yogesh Kumar Baghel S/o Tumman Lal Aged About 23 Years By Caste Satnami, R/o Village Kuhitola (Narayangarh), Tahsil Dongargarh, District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Chichola/ Churiya, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Parag Kotecha, Advocate
For Respondent/State	:	Shri Manish Nigam, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/07/2017

Heard.

1. This is the second application for grant of bail to the applicant. The first bail application was rejected by this Court on 13.2.2017.
2. Learned counsel for the applicant submits that this application has been moved mainly on the ground of delay in trial and the prosecutrix is not turning up to record her evidence before the Court. It is submitted that the father of the prosecutrix and other important witnesses have already been examined during trial and from their evidence, it is not reflected that the applicant had committed any offence.
3. Taking into consideration that earlier bail application of the applicant was rejected upon considering that the applicant is alleged to have kidnapped and kept the prosecutrix in wrongful confinement and subjected her to cruelty and also committed rape, I am not inclined to grant bail only on the ground that the applicant is in jail since 20.12.2016.

4. The Superintendent of Police, Rajnandgaon is directed to ensure that the prosecutrix appears before the Court below and her evidence is recorded.
5. With the aforesaid observation, the application is disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen