

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4354 of 2017

Sanjay Namdeo S/o Rajeshwar Namdeo Aged About 23 Years R/o
Village Narmadapur, Mainpath, P.S. Kamleshwar, District Surguja
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through S.H.O. Azak, Ambikapur District
Surguja Chhattisgarh

---- Respondent

For applicant - Shri Sunil Tripathi, Advocate.
For Respondent/State – Shri Suryakant Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

26/07/2017

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed for want of prosecution on 8/09/2016 vide M.Cr.C. No.5293 of 2016.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 18/2015 registered in Police Station AZAK, Ambikapur, District Surguja (C.G.). for offence punishable under sections 377, 384, 506B, 34, 342, 366, 376 of IPC, section 3(2-5) SC & ST (Prevention of Atrocities Act) 1989 and Section 3, 4 and 5, 5(च), 5(छ), 5(ळ), 6, 16 and 17 of Protection of Children from Sexual Offences Act, 2012.
3. As per the prosecution case, a report was made by the victim in the month of April 2015 that the applicant initially committed sodomy, thereafter by black mailing the victim that they have made video film of the same, again committed sodomy. Thereby committed the offence
4. Learned counsel for the applicant that the applicant has been falsely implicated in the case. He further submits that there has been considerable delay has been caused, no witnesses are turning up,

therefore, the applicant may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Perused the case diary and the documents. Considering the statement of the victim and the victim appears to be aged about 15 years, I am not inclined to release the applicant on bail.

7. Accordingly, the second bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE