

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4497 of 2017

Raju @ Vijay Patel S/o Late Vasudev Patel, Aged About 50 Years R/o Basdei, Out Post Basdei, Police Station Surajpur, District Surajpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Scheduled Caste & Scheduled Tribe Welfare Police Station Surajpur, District Surajpur, Chhattisgarh.

---- Respondent

Shri Surfaraj Khan, counsel for the applicant/s.
Shri Satish Gupta, Govt. Advocate for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/09/2017

Heard.

This is second bail application. First bail application was dismissed as withdrawn.

2. Prosecution case is that the prosecutrix, minor in age, was subjected to rape by co-accused – Vishal. The applicant is the father of the co-accused.
3. Learned counsel for the applicant submits that as far as the applicant is concerned, he has not committed rape and allegations of rape are against co-accused - Vishal. It is further submitted that the applicant has remained in jail since 9 months and as the trial has not been concluded, bail may be granted as number of prosecution witnesses including the prosecutrix have been examined.
4. On the other hand, learned State counsel opposes bail application.
5. Taking into consideration the material on record, I am not inclined to grant bail to the applicant at this stage. This application is, therefore, rejected. However, in case, there is delay in trial, the applicant would be at liberty to revive his application.

Sd/-
(Manindra Mohan Shrivastava)
Judge