

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MCRC No. 7481 of 2017

(Arising out of Crime No.20/2016 registered at P.S. Udaipur, Distt. Surguja (CG) for the offence punishable u/ss 376, 307, 341, 366, 506-B of IPC)

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- Santlal Rajwade S/o Mutur Ram Rajwade, Aged About 32 Years R/o Village Khodri, (Wrongly Mentioned Khodgi), Police Station Udaipur, District Surguja, Chhattisgarh.

---- **Petitioner**

Versus

- State of Chhattisgarh through Police Station Udaipur, District Surguja, Chhattisgarh.

---- **Respondent**

06.12.2017	Mr. Sunil Tripathi, counsel for the applicant. Mr. Suryakant Mishra, P.L. for the State. This is second bail application filed u/s 439 of the Code of Criminal Procedure for grant of bail to the applicant. The first bail application was dismissed as withdrawn with liberty to file afresh after examination of the prosecutrix. As per the prosecution case, on 03.03.2016 while the prosecutrix was returning to her home from computer classes by cycle, the applicant stopped and took her inside the forest where he committed forcible sexual intercourse and subsequently he tried to administer poison to her. Thereafter the applicant himself admitted the prosecutrix in the hospital and later on the prosecutrix lodged a report against him. Learned counsel for the applicant submits that the incident as depicted by the prosecutrix is not possible and false allegations have been attributed to him. He further submits that the applicant is in jail since 07.03.2016 therefore, looking to the period of detention he may be enlarged on bail. Per contra learned State Counsel opposes the bail application.

R a o	Perused the statement of the prosecutrix. Considering the same, at this stage, it would not be appropriate for this Court to give any opinion in respect of the offence. It is for the trial Court to adjudicate the same after taking into consideration the entire facts and circumstances of the case. Therefore, I do not find any change of circumstances after rejection of the earlier order of bail rejection. Accordingly, this bail application is dismissed. However, the trial Court is requested to expedite the trial at the earliest. Sd/- GOUTAM BHADURI JUDGE
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