

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 507 of 2018**

- Sagir Siddaque S/o Shri Najaruddin @ Riyaj Siddaque, Aged About 27 Years R/o Wadrufnagar, P. S. Basantpur District Balrampur District : Balrampur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through P. S. Trikunda District Balrampur Chhattisgarh,

---- Respondent

For Applicant	:	Ms. Sonia Kuldeep, Advocate
For Respondent-State	:	Shri SRJ Jaiswal, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****17/01/2018**

1. This is the Second Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 28.02.2015 in connection with Crime No.28/2014 registered at Police Station Tirkunda, Distt. Balrampur (CG) for the offence punishable under Sections 363, 366A, 343, 370, 376 (2), 34 of the I.P.C. & Section 6 of the Protection of Children From Sexual Offences Act.
2. The First Bail Application bearing M.Cr.C. No.7420/2015 was dismissed on merits on 06.01.2016.
3. Learned counsel for the applicant submits that the prosecutrix in this case has been examined and she has not stated anything against the applicant, therefore, no offence is made out against the applicant and he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have perused the statement of the prosecutrix. It will not be proper for this Court to evaluate the entire statement by holding a trial while hearing the bail application. Court cannot take up few lines from the statement to evaluate the fact of change of circumstances. I do not find any change of circumstances in this case to consider this repeat bail application. Accordingly, the bail application is dismissed.

SD/-

Goutam Bhaduri

Judge

Ashu