

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 887 of 2018

- Sanjay Sidar S/o Dilmata Sidar Aged About 23 Years By Caste - Gond, Occupation Driver, R/o Dhegurjor, P.S. and Tahsil Kansabel, District Jashpur, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kansabel, District Jashpur Chhattisgarh

---- Respondent

For Applicant
For Respondent-State

Ms. Indira Tripathi, Advocate
Shri Arvind Dubey, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

09/02/2018

1. The applicant has preferred this second bail application under Section 439 of CrPC, as he has been arrested in connection with Crime No.99/2017, registered at Police Station Kansabel, District Jashpur, for the offence punishable under Sections 363 & 376 of IPC and Sections 3 & 4 of the POCSO Act, 2012.
2. The first bail application was dismissed as withdrawn on 30.11.2017 in MCRC No.4949/2017 with liberty to repeat the prayer after examination of the prosecutrix.
3. Although, the prosecutrix is less than 16 years of age, however, while examined in the Court, she has not supported the

prosecution at any stage of the examination, even her parents have not supported the prosecution case.

4. The applicant is in jail since 16.06.2017 i.e. for about 8 months, therefore, considering the entire facts situation of the case, this Court is inclined to release the applicant on bail. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Judge

Prashant Kumar Mishra

Nirala