

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 891 of 2018**

Jindarkumar Soni @ Jindal Soni S/o Bhajoram Soni Aged About 26 Years Caste Satnami, R/o Mauja Kurda Tehsil And P.S. Malkharoda, District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through District Magistrate Janjgir District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

--Respondents

For Applicant : Mr. Basant Dewangan, Advocate
For State : Mr. Chandresh Shrivastava, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****06.04.2018**

Heard.

1. The applicant has been arrested in connection with Crime No.287/2016 registered at Police Station- Baradwar (CG) for the alleged commission of offence under Section 363, 366, 376 of IPC and Section 6 of the Protection of Children from Sexual Offences Act.
2. Case of the prosecution is that the applicant committed rape on the prosecutrix.
3. Learned counsel for the applicant would submit that the prosecutrix and other important witnesses of the prosecution have already been examined during trial and prosecution has clearly stated that she had an affair with the applicant. He further submits that father of the prosecutrix would not clearly state the age of the prosecutrix. Therefore, statement made in the record of school have become doubtful.
4. On the other hand, learned counsel for the State opposes the bail application by submitting that looking to the nature and gravity of offence, the applicant may not be granted bail.
5. Having considered the submission of learned counsel for the parties, nature and gravity of allegation, I am not inclined to grant bail to the applicant. Therefore, the bail application is rejected. However, considering that the applicant is in jail since 29.11.2016, Trial Court shall do well to expedite the trial and complete the same without granting unnecessary adjournment to any of the parties. In case, once the prosecution witnesses appear, no adjournment shall be granted.

Sd/-**(Manindra Mohan Shrivastava)
Judge**