

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 1615 of 2018**

Sanjay Rajwade S/o Vansh Bahadur Rajwade, aged about 32 years  
R/o- Village Puhputra, P.S. Lakahanpur, District- Surguja,  
Chhattisgarh.

**---- Applicant****Versus**

State of Chhattisgarh through- Station House Officer, Police Station  
Ambikapur, Outpost Manipur, District- Surguja, Chhattisgarh.

**---- Respondent**


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For Applicant : Shri Nishi Kant Sinha, Advocate  
For Respondent/State: Smt. M. Asha, Panel Lawyer

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****28/02/2018**

This is the repeat bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who has been arrested in connection with Crime No. 493/2017 registered at Police Station Ambikapur, Outpost Manipur, Surguja (CG) for the offence punishable under Section 376 of IPC.

2. The earlier bail application was dismissed as withdrawn with liberty to revive the same after the prosecutrix is examined.
3. Counsel for the applicant submits that the prosecutrix in the instant case has been examined as PW-1 and she has not supported the case of the prosecution and turned hostile. Thus, prayed for grant of bail to the applicant.
4. State counsel, however, opposes the bail application.
5. Given the facts and circumstances of the case and also the fact that the prosecutrix has not supported the case of the prosecution and has been declared hostile, this Court is of the opinion that a strong case for grant of

bail has been made out.

**6.** Accordingly, the application for grant of bail is allowed. It is directed that the present Applicant will be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

**7.** Certified copy today.

Sd/-  
**(P. Sam Koshy)**  
**JUDGE**