

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2052 of 2018**

- Bhalchand S/o Ramsai Sonakar Aged About 22 Years R/o- Village Rudragaon Police Station And Tehsil Dongergaon, District- Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- S.H.O. Police Station Dongergaon, District- Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	Shri B.P. Singh, Advocate.
For State	Shri Rajendra Tripathi, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****23/03/2018**

1. Heard.
2. This is the Second Bail application under Section 439 of the Cr.P.C for grant of regular bail to the applicant who has been arrested in connection with Crime No. 292/2016 registered at Police Station Dongergaon, District Rajnandgaon, C.G. for the offence under Sections 376 and 506 of the Indian Penal Code.
3. The First Bail Application was dismissed on 22.11.2017 in MCRC No.4027 of 2017, however, liberty was reserved in favour of the applicant to repeat the prayer after examination of the prosecutrix.
4. The applicant has allegedly committed forcible sexual intercourse with the prosecutrix aged about 28 years, who happens to be his sister-in-law

(Bhabhi). The FIR was lodged after 10 days of the incident.

5. In this bail application certified copy of the deposition of the prosecutrix has been filed as (Annexure A-3). The deposition would reveal that the prosecutrix has turned hostile and has not supported the prosecution at any stage of her examination.
6. Considering the entire facts situation of the case, particularly for the reason that the applicant is in Jail since 17.02.2017 and further considering the quality of evidence, this Court is inclined to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one surety each 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

Akhilesh