

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.2531 of 2018

Sujeet Banjare @ Rinku S/o Rameshwar Banjare, aged about 21 years,
R/o village Pulgaon, Behind School, Ram Mohalla, Police Station
Pulgaon, Tahsil and District Durg (C.G.).

---Applicant

Versus

State of Chhattisgarh, Through - Station House Officer, Police Station
Pulgaon, District Durg (C.G.).

---Respondent

For applicant	:	Shri Jitendra Gupta, Advocate.
For State	:	Shri Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

10/04/2018

1. The applicant has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No.373/2017 registered at Police Station Pulgaon, District Durg (C.G.) for the offence punishable under Sections 376 & 450 of IPC and Section 5 of POCSO Act, 2012.
2. Present is the repeat bail application.
3. The earlier bail application was dismissed as withdrawn with liberty to revive after the prosecutrix is examined by this Court on 12/12/2017 in MCRC No. 7156/2017.
4. The counsel for the applicant submits that subsequently the prosecutrix has since been examined on 23/02/2018 and there are many contradictions

and omissions in her statement and thus he prayed for releasing the applicant on bail.

5. The State counsel however opposing the bail application submits that infact the prosecutrix has supported the case of the prosecution before the trial Court and the statement is exactly same what she has made in her statement under Section 164 of Cr.P.C. as well.

6. Given the aforesaid facts and circumstances of the case particularly taking note of the fact that the prosecutrix has not turned hostile and supported the case of the prosecution, this Court does not find any strong case made out by the counsel for the applicant for releasing the applicant on bail.

7. Accordingly, the present MCRC thus fails and deserve to be and is accordingly rejected.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit