

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.2849 of 2018

Dinesh Sonkar S/o Shyamlal Sonkar, aged about 42 years, R/o Dabrapara, Gokul Nagar, Post Office - Raipur, Police Station Khamtarai, Raipur, District Raipur (C.G.).

---Applicant

Versus

State of Chhattisgarh, Through - The S.H.O. Police Station Khamtarai, Raipur, District Raipur (C.G.).

---Respondent

For applicant	:	Shri Shivendu Pandya, Advocate.
For resp./State	:	Shri Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

20/04/2018

1. The applicant has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No.428/2017 registered at Police Station Khamtarai, District Raipur (C.G.) for the offence punishable under Sections 376 & 342 of IPC.
2. Present is a repeat bail application.
3. The earlier bail application stood dismissed as withdrawn with liberty to revive the same after the prosecutrix has been examined vide order dated 13/12/2017.
4. The counsel for the applicant submits that, now after the prosecutrix has been examined he has filed this repeat bail application. He submits that, perusal of statement of the prosecutrix would show that there is a great

amount of contradiction and omission in her statement which make the case of prosecution so also the statement of prosecutrix doubtful and thus prayed for releasing the applicant on bail.

5. The State counsel however opposing the bail application submits that, perusal of the statement of the prosecutrix would reveal that she has not turned hostile, infact prima-facie supported the case of the prosecution and there is nothing in favour of the applicant and thus prayed for rejection of bail application.

6. Given the aforesaid submissions made by the counsel for either side so also taking note of the statement of the prosecutrix where she has not turned hostile, this Court is of the opinion that not a fit case for grant of bail at this juncture.

7. The present MCRC thus deserve to be and is accordingly stands dismissed.

8. Let the trial court appreciate the entire evidence of the prosecution and take a decision at the earliest.

Sumit

Sd/-
(P. Sam Koshy)
JUDGE