

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 5100 of 2018**

Kunjram Saw S/o Alakhram Saw, aged about 22 years, PS
Pussour, R/o Malda, District Raigarh, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh through the Station House Officer, Police
Station Kotraroad, District Raigarh (CG)

---- Respondent

For Applicant	:	Shri M. K. Jaiswal, Advocate
For Respondent/State	:	Shri Shashank Thakur, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****18/07/2018**

This is the second bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who is in jail since 21.12.2017 in connection with Crime No. 200/2017 registered at Police Station- Kotraroad, District Raigarh (CG) for the offence punishable under Sections 376, 506B of IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

2. The earlier bail application stood rejected as withdrawn with liberty to revive the same after the prosecutrix was examined.

3. Counsel for the applicant submits that the prosecutrix has now been examined and there are various contradictions and omissions in her deposition and also it appears to be a consensual relationship between the prosecutrix and the applicant. Thus, prays for grant of bail to the applicant.

4. State counsel, however, opposing the bail application submits that the prosecutrix has not turned hostile and she has in fact supported the case of the prosecution and therefore, the applicant does not deserve to be released on bail.

5. Having heard the contentions put forth on either side and on perusal of the record particularly taking note of the statement of the prosecutrix who was a minor, this Court is of the opinion that it is not a fit case for grant of bail to the applicant at this juncture.

6. Accordingly, the application for grant of bail stands rejected. However, the trial Court is directed to conclude the trial at the earliest.

Sd/-

(P. Sam Koshy)
JUDGE