

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6218 of 2018**

- Surajbhan Singh S/o Late Balmik Singh Gond Aged About 23 Years R/o Kashi Tola Bahraasi, P.S. Janakpur District Koriya Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer , Police Station Janakpur (Wrongly Mentioned As Manendragarh), District- Koriya Chhattisgarh.

---- Non-applicant

For Applicant : Shri Shakti Raj Singh, Advocate.

For Non-applicant : Shri Washim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****05.10.2018**

1. This is second bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court. No other bail application is pending before any other Court. First bail application filed by the applicant was rejected by this Court on 27.06.2018 prima facie considering the merits of the case.
2. Perused the Case Diary provided by the learned counsel for the State in connection with crime No. 87/2017 registered at Police Station – Janakpur, District – Koriya (C.G.) for the offence punishable under Section 376(2)(n), 363 of the Indian Penal Code and 4, 6, 10 the POCSO Act.
3. Case of the prosecution, in brief is that at the time of alleged incident, the prosecutrix was 17 years and 10 months old. She is resident of village Kasitola, PS Janakpur. On 14.08.2017, the applicant

took her away by enticing from the custody of her lawful guardian and committed the offence.

4. Learned counsel for the applicant argued that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Counsel for the applicant drew my attention on para 3 and 4 of the photocopy of the statement of PW-6 Smt. Sumanlata Singh. The para 3 and 4 of the statement of PW6 Smt. Sumanlata Singh are subject matter of the scrutiny of the evidence which may be done by the trial Court.

7. There is no change in the circumstance which may entitle the applicant to get the regular bail in second round.

8. Accordingly, the present bail application is rejected. However, it is directed that the trial Court shall expedite the trial and conclude the trial preferably within 3 months from the date of receipt of certified copy of this order.

Sd/-

(Sharad Kumar Gupta)
JUDGE