

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC NO.6271 OF 2018**

Vivek Gadpayle S/o Milind Gadpayle Aged About 23 Years R/o-
Shastri Ward, Near Mazdoor Bhawan, Patel Chowk, Gondia,
District- Gondia (Maharashtra), District- Gondiya (Maharashtra).

...Applicant**Versus**

State of Chhattisgarh Through- P.S. Dongargarh, Civil and Revenue
District- Rajnandgaon, Chhattisgarh.

... Respondent(s)

For Applicant	:	Shri Keshav Dewangan, Advocate.
For Respondent-State	:	Shri Ratan Pusty, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****28.08.2018**

1. The present is a repeat bail application. The earlier bail application stood rejected by this court on 25.05.2018.
2. The applicant submits that the repeat application has been filed on the ground of delay in trial and also on the ground that since the prosecutrix has been examined and no sufficient material has been extracted from the prosecutrix with which the applicant could be convicted for the offence under Section 376 IPC.
3. Both the grounds raised by the applicant does not have sufficient force at this juncture for the reason that it was only on 25.05.2018 i.e. barely three months back this court has rejected the bail application on merits. Hence there is no question of any delay having occurred in trial. Moreover, this court has rejected the first bail application on merits.

4. Given the aforesaid facts situation of the case, this court is of the opinion that no strong case for grant of bail has been made out at this juncture. Accordingly the repeat bail application stands rejected. However, trial court is directed to ensure that the remaining witnesses are also examined and trial be concluded at the earliest considering the fact that the applicant is a student.

Sd/-
(P. Sam Koshy
Judge