

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.8154 of 2017

Sandeep Kumar Gupta @ Rinku Gupta S/o Bharat Lal Gupta, aged about 26 years, R/o Manja Khalpar, Police Station Batauli, District Surguja (C.G.).

---Applicant

Versus

State of Chhattisgarh, Through - The Police Station Batauli, District Surguja (C.G.).

---Respondent

For applicant	:	Shri Pushpendra Kumar Patel, Advocate.
For resp./State	:	Shri Anand Dadariya, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02/01/2018

1. Present is a repeat bail application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No.49/2017 registered at Police Station Batauli, District Surguja (C.G.) for the offence punishable under Sections 376(2N), 506 of IPC, 5(३)/6 of Protection of Children from Sexual Offences Act, 2012 and 3(2)(V)(A) of Prevention of Atrocities Act.
2. The applicant is in jail since 19/06/2017.
3. The earlier bail application was dismissed as withdrawn with liberty to revive the same after the prosecutrix is examined vide order dated 24/11/2017.

4. Now the second bail application has been filed after the prosecutrix has been examined before the trial Court on 06/12/2017 and a copy of the statement of the prosecutrix is enclosed along with the bail application.
5. Perusal of the record shows that, the prosecutrix has not supported the case of the prosecution in as much as she has turned hostile and except for the signature that she has put in her statement during the course of investigation, all other contents have been denied.
6. Given the facts and circumstances of the case this Court is of the opinion that, prima-facie, a strong case has been made out for grant of bail to the present applicant.
7. Accordingly, the application for grant of bail is allowed. It is ordered that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Trial Court. The applicant shall thereafter appear before the Trial Court on each and every date given by the said court.

Sumit

Sd/-
(P. Sam Koshy)
JUDGE