

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.252 of 2018

Deepak Mallah S/o Shri Raju Mallah, aged about 26 years, R/o Shankar Ward, Mungeli, Tahsil and District Mungeli (C.G.).

---Applicant

Versus

State of Chhattisgarh, Through – The S.H.O. Police Station City Kotwali, Mungeli, District Mungeli (C.G.).

---Respondent

For applicant	:	Shri Surfaraj Khan, Advocate.
For resp./State	:	Ms.M.Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

10/01/2018

1. Present is a repeat bail application filed under Section 439 of Cr.P.C. in connection with Crime No.189/2017 registered at Police Station City Kotwali, Mungeli (C.G.) for the offence punishable under Section 376 of IPC.
2. Present applicant is in jail since 20/04/2017.
3. The earlier bail application was rejected by this Court on 23/11/2017 vide M.Cr.C.No. 5024/2017.
4. The only ground for filing the repeat bail application is that, the prosecutrix have been examined before the Court below and she has not supported the case of the prosecution and have turned hostile.

5. However, perusal of the statement of the prosecutrix would reveal that, though she has been declared hostile in her examination in chief, there are prima facie incriminating materials available against the present applicant.

6. Given the aforesaid facts and circumstances of the case, this Court is not inclined to grant bail to the applicant at this juncture.

7. Accordingly, the present bail application stands rejected.

Sumit

Sd/-
(P. Sam Koshy)
JUDGE