

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1513 of 2018

Dinesh Kumar Dhruw S/o Tiharu Ram Aged About 26 Years R/o Village-Kaudia, Police Station- Seepat, Tahsil- Masturi, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station- City Kotwali, District- Durg, Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. R.K. Bhagat, Advocate.
For Non-applicant/State	:	Mr. Dheeraj Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14/11/2018

1. The present is a second bail application under Section 438 of Cr.P.C. seeking for grant of anticipatory bail to the applicant who is apprehending his arrest in connection with Crime No. 779/2016, registered at Police Station City Kotwali, District Durg, Chhattisgarh for the offence punishable under Sections 363, 366 and 376 of Indian Penal Code and Section 8 of Protection of Children from the Sexual Offences Act, 2012. The earlier bail application stood dismissed as withdrawn on 09.05.2018.
2. The offence for which the applicant has been charged is one under Sections 363, 366 and 376 of the Indian Penal Code read with Section 8 of the Protection of Children from the Sexual Offences Act, 2012.
3. The only ground, on which the applicant has now filed the repeat anticipatory bail application is the fact that there is some settlement arrived at between the applicant and the prosecutrix and she has also

made a statement in support of the applicant before the trial Court and therefore he moved an application for anticipatory bail.

4. Given the entire facts and circumstances of the case, particularly taking into consideration the nature of allegations, which have been leveled against the applicant in the charge sheet, this Court is not inclined to entertain the anticipatory bail application at this juncture.
5. Reserving the right of the applicant to surrender before the authority concerned and thereafter on moving an application for grant of regular bail, the present anticipatory bail application stands rejected.
6. Needless to mention that in case if the applicant surrenders and moves an application for grant of regular bail, the Court below may, if possible, consider and decide the application for bail on the same day taking into consideration the entire facts and circumstances of the case.

Sd/-
(P. Sam Koshy)
Judge