

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8958 of 2018**

- Sadhu Ram, S/o Late Shri Bandhe Ram, aged about 60 years, occupation Agriculture, R/o village Saraidih, Police Station Shankargarh, District Balrampur - Ramanujganj (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through the Station House Officer, Police Station Shankargarh, District Balrampur- Ramanujganj (C.G.)

---- Respondent

For Applicant	:	Ms. Rashmi Verma, Advocate
For Respondent/State	:	Shri Chandresh Shivastava, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****22.11.2018**

1. This is the second bail application filed under Section 439 of Cr.P.C. for grant of bail to the applicant who is in jail since 29.08.2017 in connection with Crime No. 60/2017 registered at Police Station Shankargarh, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 376 of IPC.
2. The first bail application of the applicant was dismissed as withdrawn with liberty to revive the same after the prosecutrix is examined vide order dated 02.01.2018.
3. Counsel for the applicant submits that the applicant is in jail now more than one year and more over, the prosecutrix has also been examined and there are various contradictions and omissions in her statement.
4. The State counsel, however, opposes the application on the ground of from the plain reading of the evidence of the prosecutrix it reflects that there are positive averment made by the prosecutrix against the present applicant.

5. Having considered the contention put forth on either side and also on perusal of the statement of the prosecutrix, this Court is of the opinion that no strong case has been made out by the applicant for grant of bail. However, considering the fact that the prosecutrix has also now been examined, it is expected to conclude the trial as expeditiously as possible.

6. With the aforesaid observation, the second bail application of the applicant for grant of bail stands rejected.

Sd/-
(P. Sam Koshy)
Judge