

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3094 of 2019**

Gourav Singh, S/o late Shri Rameshwar Singh, aged about 36 years, R/o Aayudh Nirman Colony Katni, Police Station Madhav Nagar, Tahsil Madhav Nagar, District Katni (MP). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Sakri, Civil and Revenue District Bilaspur (CG). **---- Non-applicant**

For Applicant	: Mr. Sushobhit Singh, Advocate
For Non-applicant	: Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

16.05.2019

1. This is the second bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.38/2019 registered at Police Station Sakri, Civil and Revenue District Bilaspur for the offence punishable under Sections 376, 384, 509(b) of Indian Penal Code.
2. The first bail application of the applicant was rejected on merits by this Court vide order dated 13.03.2019 passed in M.Cr.C. No.1426/2019.
3. Case of the prosecution, in brief, is that the prosecutrix is aged about 40 years and a resident of Uslapur, Bilaspur. The applicant introduced himself as Hemant Toppo to the prosecutrix. He committed repeatedly sexual intercourse with her. Later the prosecutrix came to know that real name of the applicant is Gaurav Singh who is a married man. Thereafter, prosecutrix refused to continue relationship with him. The applicant threatened her that he will viral her intimate photographs and demanded Rs.10,00,000/-.
4. Counsel for the applicant submits that after rejection of the first bail application of the applicant, charge sheet has been filed. The prosecutrix was a consenting party and as such the applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that previously no criminal antecedent is reported against the applicant in police case diary.
6. Merely filing of charge sheet is not such change of circumstances in the case on the strength of which the applicant be released on bail in the second round of litigation.
7. Looking to the above facts and circumstances of the case and looking to this fact that there is no change in the circumstances of the case on the strength of which the applicant be released on bail in the second round of litigation. Consequently, the second bail application is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE