

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3130 of 2019

Jagdish Prasad, S/o. Girdhari Lal Sharma, Aged About 19 Years, R/o. Village Pilwa, Tahsil - Fahlaudi, Police Station - Lohawar, District Jodhpur (Rajasthan), At Present Rajsthani Bhojnalaya, Manpur, District Rajnandgaon, Chhattisgarh. **---- Applicant**

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Manpur, District Rajnandgaon, Chhattisgarh. **---- Respondent**

For Applicant : Mr. Aditya Bhardwaj, Advocate
For Respondent : Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08.05.2019

Heard

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 74/2017 registered at Police Station- Manpur, District- Rajnandgaon (C.G) for the offences punishable under Sections 363, 366, 376 of IPC and section 6 of the Protection of Children from Sexual Offence Act, 2012 and section 3 (1) (xii) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.
2. As per the prosecution case, a report was lodged by the mother of prosecutrix on 05.11.2017 that her daughter was missing. Subsequently, she was found in the house of one Santosh Netam and on enquiry it was revealed that the present applicant has allured the victim and took her away from the lawful guardianship of her parents and thereafter committed sexual intercourse.

3. Learned counsel for the applicant submits that the applicant is in jail since 07.11.2017 and the first bail application bearing M.Cr.C. No.1857 / 2018 was dismissed on 14.05.2018 and till date, only twelve witnesses have been examined and the trial has been prolonged, therefore, he prays that the applicant may be released on bail.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Perused the documents. Considering the fact that the earlier bail application was dismissed on merits, therefore, I do not find any change of circumstances to reconsider this repeat bail application. Accordingly, the bail application is dismissed. However, the Trial Court is requested to expedite the trial as early as possible.

Sd/-

(Goutam Bhaduri)
Judge