

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4465 of 2019**

- Satyanarayan Baghel S/o Rajendra Baghel Aged About 25 Years R/o Village Chakwe, Police Station Kharora, District- Raipur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Kharora, District- Raipur, Chhattisgarh

----Non Applicant

For the Applicant	:	Shri B.D. Guru, Advocate along with Shri Shaleen Singh Baghel, Advocate
For Non Applicant	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****29.07.2019**

1. Allegedly Jagjeevan Baghel, who is father of the prosecutrix/informant is present in person before this court. After putting some questions, this Court is satisfied that person, who is present in the Court is father of the informant/prosecutrix.
2. This is second bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court. No other bail application is pending before any other Court.
3. Earlier, the first bail application of the applicant was rejected by this Court by order dated 16.05.2019 passed in MCRC No.2602 of 2019 considering prima facie case against him.
4. Perused the case diary provided by the learned counsel for the State in connection with Crime No.30/2019 registered at Police Station-

Kharora, District- Raipur(C.G.) for the offence punishable under Sections 363, 366A, 376, 506 of the Indian Penal Code and Section 4 and 8 of the protection of Children from Sexual Offences Act.

5. Case of the prosecution, in brief is that on 21.01.2019 prosecutrix was below 16 years of age. She is resident of village Chakwe. On 21.01.2019 at about 23:30 hours, applicant took her forcefully to the field near the Korasi Khar Nala and committed rape with her and gave threats that if she would narrate the incident to anyone he will rape her sister.
6. Learned counsel for the applicant submits that FIR is delayed by 10 days. Thus, applicant may be released on bail.
7. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal antecedent against the applicant.
8. Jagjeevan Baghel, father of the prosecutrix/informant submits that applicant may not be released on bail.
9. Looking to the above mentioned facts and circumstances of the case, there is no change of circumstance which may entitle the applicant to be released on bail in second round of litigation. Consequently, the second bail application is rejected.

Sd/-

(Sharad Kumar Gupta)
Judge

pm