

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 4644 of 2019

- Omprakash @ Prakash Markande S/o Krishna Kumar Markande Aged About 18 Years R/o Village - Patori, Police Station Fingeshwar, District Gariyaband Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through - Station House Officer, Police Station - Fingeshwar District Gariyaband Chhattisgarh.

---- Respondent

For Applicant	:-	Shri Ajay Thakre, Advocate
For Respondent/State	:-	Shri S.K. Mishra, PL

Order On BoardByShri Prashant Kumar Mishra, J.18/07/2019

1. This is second bail application under Section 439 of Cr.P.C, as the applicant is arrested in connection with Crime No.208/2018 registered in Police Station Fingeshwar, District Gariyaband for offence under Sections 363, 366, 376(2) of the IPC and Sections 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.

2. While rejecting the first bail application this Court had reserved the liberty in favour of the applicant to repeat his prayer for bail after examination of the victim.
3. Since thereafter the victim has been examined before the trial Court, however, she has not supported the prosecution and she has been declared hostile.
4. Considering the material brought before the trial Court by the prosecution at this stage of the trial, I am inclined to release the applicant on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each an every date given by the said Court.

Sd/-
(Prashant Kumar Mishra)
Judge

Ankit