

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9903 of 2018**

Samsher Alam S/o Shri Nazir Ansari Aged About 21 Years R/o Chandranagar, Police Station- Ramanujganj, District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station- Ramanujganj, District- Balampur- Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh.

---- Respondent

For the Applicant	:	Ms. Laxmin Kashyap, Advocate
For the State	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**30/01/2019**

1. This is the second bail application under Section 439 of the CrPC. Earlier bail application was dismissed by this Court on 22/10/2018 in MCRC No. 6028/2018.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.52/2018 registered at Police Station Ramanujganj, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 376(2)(N) of IPC and Section 6 of POCSO Act.
3. Case of the prosecution, in brief is that the prosecutrix is a resident of village Chandranagar. As per Dakhil Kharij Register, her date of birth is 20.01.2001 and as per photocopy of the mark-sheet of Class-V, her date of birth is 20.10.2001. On 01.09.2017 she went to forest to collect wood at that time the applicant came there and committed sexual intercourse with her on the pretext of marriage as a result of which she became pregnant and, thereafter, the applicant performed marriage with another girl.
4. Learned counsel for the applicant drew my attention on some paragraph of photocopy of the statement of the prosecutrix.
5. On the other hand, counsel for the State opposes the bail application.
6. At this stage this Court cannot appreciate the evidence of prosecution witnesses.
7. There are no change of circumstances in the second bail application, accordingly bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
 Judge