

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 940 of 2020

Shatrughan Singh @ Raj Singh S/o Late Shri Radhesyam Singh
Aged About 38 Years Resident Of Jai Hind Chowk, Lodhi Paran
Police Station Pandri, Raipur, District- Raipur Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For applicant – Shri Triveni Shankar Sahu, Advocate.
For State- Shri Neeraj Pradhan, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

28/02/2020

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 2/07/2018.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 277/2017 registered in Police Station Pandri, Raipur, Distt. Raipur (C.G.). for offence punishable under sections 376(2) (F) (i), 511 of IPC and section 4 of POCSO Act.
3. As per the prosecution case, a report was made by a lady that the present applicant who is her husband tried to outrage the modesty and commit rape of her own daughter. She stated that initially the matter was not reported but subsequently after consultation with her father, the instant report is made.
4. Learned counsel for the applicant submits that the prosecutrix has been examined, therefore the applicant may be released on bail.
5. Learned State counsel opposes the prayer for grant of bail.
6. Considering the submission made that the prosecutrix has been

examined, it will not be proper for this court to give a finding as any finding recorded by this court would have an affect in the trial, therefore this court is not inclined to release the applicant on bail.

7. Accordingly, the bail application is dismissed. However, the trial court is requested to expedite the trial as early as possible if it has not been concluded.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE