

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1709 of 2020**

- Gangadhar Yadav S/o Shri Demu Ram Yadav Aged About 35 Years Caste- Mahakul, R/o- Village- Kukargaon (Haldi Jhariya), Thana- Bagbahar, Civil And Revenue District- Jashpur, C.G.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Bagbahar (Wrongly Mentioned As Bagbohar), District- Jashpur, C.G.,

---- Non Applicant

For the Applicant	:	Mr. J. K. Saxena, Adv.
For Non Applicant	:	Mr. D. K. Tiwari, Dy.G.A.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****19.06.2020**

1. 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.
2. Earlier, the first bail application of the applicant was rejected by this Court by order dated 04.02.2019 passed in MCRC No.373 of 2019 considering prima facie case against him.
3. Perused the case diary provided by the learned counsel for the State in connection with Crime No.15/2017 registered at Police Station- Bagbahar, District Jashpur (C.G.) for the offence punishable under Section 376, 506 Part-2 of IPC.
4. Case of the prosecution in brief is that prosecutrix is aged about 25 years old. She is resident of village Haldi Jhariya. Applicant was molested her demanding sex. On 31.01.2017 about 04:30 a.m. she had gone to defecation to field. Applicant reached there gave threats to kill and committed sexual intercourse with her.
5. Counsel for the applicant submitted that there is a delay in trial. Applicant is in jail since 12.12.2018. Only I.O. is to be examined. Due to present situation there is no possibility of early examination of I.O. Thus, applicant may be released on bail.

6. Aforesaid grounds are not just and sufficient to release the applicant on bail in second round of litigation.
7. Consequently, his second bail application is rejected.

Sd/-

(Sharad Kumar Gupta)
Judge

parul