

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2008 of 2020**

- Jaypal Rajput S/o Shri Ramkumar Rajput, aged about 24 years, R/o Village Bidbida, Thana- Sargaon, Civil and Revenue District Mungeli, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Sargaon, District Mungeli Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Sumit Shrivastava, Advocate.
For Respondent/State	:	Mr. Ravindra Sharma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13.07.2020**

1. Pursuant to the order dated 15.06.2020, complainant is present today before this Court. On being asked, through Video Conferencing, he made his objection regarding the grant of bail of the applicant.
2. The accused/applicant has moved this **Second Bail Application** under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 249/2019 registered at Police Station - Sargaon, District Mungeli (C.G.) for the offence punishable under Sections 363, 366, 376 of the IPC and Sections 4 & 6 of POCSO Act.
3. The first bail application of the applicant was rejected by this Court on 20.12.2019 passed in MCRC No. 7192/2019.
4. As per the prosecution case, the complainant/father of the

prosecutrix lodged a missing report regarding his daughter before the concerned police station and after investigation, the prosecutrix was recovered from the possession of applicant. After recording the statement of the prosecutrix, offence has been registered against the applicant.

5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He next submits that the prosecutrix herself called the applicant at her house and left the house of her parents with her own will and they lived together about 3 months as husband and wife and during that time, she has not raised any objection. He next added that the applicant is in jail since 07.10.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, therefore, the present applicant may be released on bail.
6. Per contra, State counsel opposes the bail application.
7. I have heard learned counsel for the parties and perused the case diary.
8. Considering the totality of the facts and circumstances of the case, nature and gravity of the case and particularly the fact that the complainant made his objection regarding the bail of the applicant, at this stage, I am not inclined to release him on bail.
9. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**