

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2177 of 2020**

- Pramod Jangde @ Sonu S/o Late Brajlal Jangde aged about 27 years, R/o Village Sardha Bhata, P.S. Sarsiwa, District-Baloda-Bazar, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Officer-In-Charge, P.S.-Jamul, District-Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Ashutosh Mishra, Adv.
For Respondent/State	:	Mr. H. S. Ahluvalia, Dy. A.G.
For complainant	:	Present in person.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20/07/2020**

1. Pursuance to order dated 20.07.2020 of this Court, father of the prosecutrix namely, Devendra Singh is present along with his counsel through video conferencing. On being asked, he has made his objection regarding grant of bail to the applicant.
2. The accused/applicant has moved this second bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 68/2019 registered at Police Station Jamul, District-Durg (C.G.) for the offence punishable under Sections 363, 366, 376 of IPC and 4, 6 of POCSO Act.
3. The first bail application of the applicant was dismissed as withdrawn with liberty to revive the same after examination of the prosecutrix and material witnesses by this Court on 15.01.2020 in MCRC No. 6636/2019.
4. The prosecution story, in brief is that, a complaint was made by the father of the prosecutrix that on 13.02.2019 the applicant seduced and on pretext of marriage kidnapped the

prosecutrix, performed marriage with her in Bamleshwari Mandir, Dongargarh and committed sexual intercourse with her. Present applicant has been taken into custody on 17.03.2019.

5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the prosecutrix was in a relation with the accused and also prosecutrix had admitted that she had love talks with applicant during their telephonic conversation. He next submits that the applicant is in jail since 17.03.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
6. On the other hand, counsel for the State opposes the bail application submitting that the applicant did a very heinous crime and the applicant on pretext of marriage committed sexual intercourse with the minor girl, therefore, it is not a fit case to release him on bail.
7. I have heard learned counsel for the parties and perused the case diary.
8. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, 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