

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3500 of 2020**

- Nilkaran Tandon @ Chingu S/o Badri Tandon aged about 20 years, R/o Village Ranchirai, Police Station Ranchirai, District-Balod, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Police Station Ranchirai, District-Balod, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Punit Ruparel, Adv.
For Respondent/State	:	Mr. Sudeep Agrawal, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/08/2020**

1. Pursuance to order dated 14.07.2020 of this Court, Mother of the prosecutrix namely, Hemlata Tandon is present before the Registry. On being asked, she has made her 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. 38/2019 registered at Police Station Ranchirai, District-Balod (C.G.) for the offence punishable under Sections 363, 366, 376 of IPC and 4, 5(D)/6 of POCSO Act.
3. The first bail application of the applicant was dismissed by this Court on 09.12.2019 in MCRC No. 5828/2019.
4. The prosecution story, in brief is that, on 15.06.2019 at 8:30 O'clock complainant/mother of the prosecutrix lodged a report that by an unknown person abducted her daughter. After that during investigation, on 18.06.2019 prosecutrix has been recovered from the possession of the applicant. Based on this offence has been registered against the present

applicant. Present applicant has been taken into custody on 19.06.2019.

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 prosecutrix and her family members were examined by the learned trial Court where on their statements having contradiction, omission and improvisation in every stage of the case which is not reliable. He next submits that the applicant is in jail since 19.06.2019, 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, 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