

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4575 of 2020

Shamser Ali, S/o. Karim Ali, Aged About 45 Years, R/o. Khaprabhattha
Budhwari Bazar Korba, Tahsil & District- Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Police Station AJK Korba, District- Korba,
Chhattisgarh

---- Respondent

For Applicant : Mr. Vikash Pandey, Advocate

For Respondent : Ms. Akanksha Jain, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

19.08.2020

1. This is the fourth bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.9/2018 registered at Police Station- Adim Jati Kalyan, Than Korba (C.G.) for the offence punishable under Sections 376, 506, 384 of I.P.C., Section 4 & 6 of the Protection of Children from Sexual Offences Act and Section 3(2)(v) of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act. The first bail application was rejected on 17.09.2018, second bail application was dismissed in default on 17.01.2020 and third bail application was rejected on 14.02.2020.
2. As per the prosecution case, a report was made by the prosecutrix that while she was minor the present applicant forcibly committed rape and the said act was captured in a mobile video and on the pretext that the said video would be made viral, the applicant

further committed sexual intercourse by extending threat and also demanded money, thereby the offence has been committed.

3. On the earlier occasion, the bail application has been dismissed on merit taking into statement of the prosecutrix. Therefore, considering the nature of allegation, no fresh circumstances exist to reconsider the bail application again. Accordingly, the instant fourth bail application filed under Section 439 of Cr.P.C. is also dismissed.

Sd/-
(Goutam Bhaduri)
Judge