

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4751 of 2020**

- Rahul Jangde, S/o Santram Jangde, Aged About 18 Years, R/o Village- Rahod, P.S.- Shivrinarayan, District- Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through: Station House Officer, Police Station- Urga, District- Korba, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Ravi Maheshwari, Adv.
For Respondent/State	:	Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16.09.2020**

1. 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. 237/2019 registered at Police Station- Urga, District- Korba, (C.G.) for the offence punishable under Sections 363, 376 of IPC & U/s 4 of POCSO Act, 2012.
2. The first bail application of the applicant was dismissed as withdrawn with liberty to revive the same after examination of the prosecutrix vide order dated 25.02.2020 passed in MCRC No. 892/2020.
3. The prosecution story, in brief is that, it has been alleged that the present applicant abducted the prosecutrix and on the pretext of marriage, he has committed sexual intercourse with her. Based on this, offence has been

registered. Present applicant has been taken into custody on 11.10.2019.

4. 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 charge-sheet has been filed. The applicant is in jail since 11.10.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application submitting that prosecutrix has not supported the prosecution story and raised her objection regarding grant of bail to the applicant so, applicant did a very heinous crime and it is not a fit case to release him on bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. 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.
8. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.
9. It is directed that the trial Court shall conclude the trial as early as possible preferably within a period of four months.

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

Ruchi