

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4542 of 2020**

- Pankaj Sahu S/o Fatichar Sahu @ Nageshwar Sahu aged about 21 years, R/o Village-Chhote Khaira, Police Station-Sarangarh, District-Raigarh, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through – Station House Officer, Police Station Sarangarh, District-Raigarh, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Amit Singh Chauhan, Adv.
For Respondent/State	: Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15/09/2020**

1. Pursuant to order dated 26.08.2020 of this Court, complainant/informant namely, Govind Sai is present today before the Registry. 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. 100/2019 registered at Police Station Sarangarh, District-Raigarh (C.G.) for the offence punishable under Sections 363, 366, 376 of the IPC and 4, 6 of POCSO Act.
3. The first bail application of the applicant was dismissed as withdrawn with liberty to file at an appropriate stage by this Court on 23.10.2019 in MCRC No. 4785/2019.
4. The prosecution story, in brief is that the father of the prosecutrix lodged a report with the allegation that the applicant seduced the prosecutrix, took away and on pretext of marriage committed sexual intercourse with the prosecutrix. Based on this offence has been registered

against the present applicant. The applicant has been arrested 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 applicant and victim both were residing in same village and both were known to each other and having love affair between the applicant and victim. He also 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 and submits that the offence committed by the applicant is serious in nature; therefore, no case is made out for grant of 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**