

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 655 of 2021**

- Upesh Uike @ Mota, S/o Shri Omprakash Uike, Aged About 28 Years, R/o Ram Nagar, Kabristan Gali, Ward No. 07, District Rajnandgaon, Chhattisgarh

---- Applicant (In jail)**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Kotwali, District Rajnandgaon Chhattisgarh

---- Respondent

For Applicant : None appears

For Respondent/State : Shri BP Banjare, Dy GA

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board
(Proceeding through Video Conferencing)

02.07.2021

1. Applicant has preferred this application under Section 439 CrPC for grant of regular bail as he has been arrested in connection with Crime No.489 of 2020 registered at Police Station Kotwali, District- Rajnandgaon CG for the offences punishable under Sections 363, 366, 376 of the IPC and Sections 4 and 6 of the POSCO (The Protection of Children from Sexual Offences) Act, 2012.
2. No one appeared on behalf of the applicant even when the case is called for hearing in the 2nd round.
3. This case was admitted for hearing on 28.01.2021. On the said date, case diary was called for and notice under Section 439 (1A) of the CrPC was issued to the informant/complainant. On 02.03.2021, complainant appeared before this Court and raised his objection on grant of bail to the applicant, and learned counsel for the applicant sought for time to make his submissions. Thereafter, case was listed on 09.03.2021 on which date, learned counsel for the applicant again sought for time.

4. On 18.06.20221, learned counsel for the applicant was present and the case was adjourned further for four weeks. Thereafter, case was listed on 25.06.2021, on the said date case was called twice but no one appeared on behalf of the applicant and the case was adjourned.
5. Today, when the case is called for hearing in the 1st round, no one appeared on behalf of the applicant, in the pre-lunch session. Thereafter, case was passed over and again called for hearing in post-lunch session but there is no representation on behalf of the applicant to press this bail application.
6. In view of above, there is no option left for the Court, except to dismiss this bail application for non-prosecution.
7. Accordingly, MCRC-655 of 2021 is dismissed for want of prosecution.

Sd/-
(Parth Prateem Sahu)
JUDGE