

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1851 of 2021**

- Shatruhan Singh @ Raj Singh S/o Late Radheyshyam Aged About 42 Years
R/o Lodhipara, Near Jaihind Chowk, Pandri, Raipur, District Raipur,
Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Police Station Pandri, District Raipur,
Chhattisgarh

---- Respondent

For Applicant : Shri Ishan Verma, Advocate

For Respondents/State : Shri Rahul Jha, GA

Hon'ble Shri Justice Goutam Bhaduri**Order****09/07/2021**

1. Heard.
2. This is the Third Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 20.09.2017 in connection with Crime No.277/2017 registered at Police Station Pandri, District Raipur (CG) for the offence punishable under Sections 376 (2) (F) (i) & 511 IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012.
3. The First Bail Application bearing M.Cr.C. No.4357 of 2018 was dismissed on 02.07.2018. The Second Bail Application bearing MCRC No.940 of 2020 was

dismissed on 28.02.2020.

4. As per the prosecution case, a report was made by a lady that the present applicant who is her husband, tried to outrage the modesty and commit rape of her own daughter. She stated that initially the matter was not reported but subsequently after consultation with her father, the instant report is made.
5. Learned counsel for the applicant submits that few of the prosecution witnesses were given up they were though examined as defense witness and they have completely destroyed the case of the prosecution and almost all the witnesses have been examined, therefore, the applicant may be released on bail.
6. Per contra, learned State counsel opposes the prayer for grant of bail.
7. Considering the fact that almost all the witnesses have been examined, this Court will not take up the job of the trial Court while hearing the bail application and also taking into the nature of allegations, the statement of the victim is to be evaluated by the trial Court, therefore, I am not inclined to release the applicant on bail.
8. Accordingly, the bail application is dismissed.

Sd/-

Goutam Bhaduri
Judge

Ashu