

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1880 of 2021**

- Tikeshwar Yadav S/o Shrawan Kumar Aged About 20 Years
R/o Khadma, Police Station Chhura, District Gariyaband,
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police
Station Chhura, District Gariyaband, Chhattisgarh

---- Respondent

For Applicant :- Mr. C.R. Sahu, Advocate
For Respondent-State :- Mr. Sudeep Agrawal, Dy.A.G.
Prosecutrix appeared through High Court Help Desk.

Proceedings through Video Conferencing

Hon'ble Shri Prashant Kumar Mishra, Ag.CJ
Order On Board

09/07/2021

1. The applicant has preferred this **second** bail application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.27/2020 registered in Police Station Chhura, District Gariyaband C.G. for the offence punishable under Sections 376(2)(ढ), 376(2)(ढ) of the I.P.C. and Section 6 of the POCSO Act.

2. The first bail application filed by the applicant was dismissed as withdrawn with liberty to move duly constituted appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
3. The applicant committed forcible sexual intercourse with the prosecutrix on promise to marry, however, he later on abandoned the prosecutrix, who was less than 15 years of age on the date of commission of offence.
4. Prosecutrix has appeared through High Court help desk. She objects to the application moved by the applicant for grant of bail.
5. Considering the entire fact situation of the case, I am not inclined to release the applicant on bail at this stage. However, the applicant would be at liberty to revive the prayer for grant of bail after examination of the prosecutrix.
6. Accordingly, the second bail application is rejected with the aforesaid liberty.

SD/-

(Prashant Kumar Mishra)
Acting Chief Justice

Ayushi