

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2452 of 2021**

- Ranveer Prasad Patel, S/o Gairdlal Patel, Aged About 19 Years, R/o Village- Bagnara, Police Station- Ambagarh Chowki, Tahsil- Ambagarh Chowki, District- Rajnandgaon, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through Station House Officer- Police Station-Ambagarh Chowki, District- Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Aditya Bhardwaj, Adv.
For Respondent/State	:	Mr. Ashutosh Mishra, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09.07.2021**

Proceedings through video conferencing.

1. Pursuant to the order dated 17.06.2021 of this Court, complainant/father of the prosecutrix is connected today through video conferencing from DLSA, Rajnandgaon (C.G.). On being asked, he made 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. 35/2020 registered at Police Station- Ambagarh Chowki, District- Rajnandgaon, (C.G.) for the offence punishable under Sections 376, 304-A of IPC and Section 4, 6 of POCSO Act and Section 3 (2) (V) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.
3. Earlier, the first bail application of the applicant was dismissed as withdrawn.
4. The prosecution story, in brief is that, applicant committed sexual

intercourse with the prosecutrix on the pretext of marriage, as a result of which, she became pregnant and died. Present applicant has been taken into custody on 07.08.2020.

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 there was love affair between the applicant and the prosecutrix and the prosecutrix died due to deficiency of blood during pregnancy. He next added that the applicant is in jail since 07.08.2020, 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 submitting that prosecutrix was minor girl and offence committed by the applicant is of serious in nature and he did a very heinous crime and it is not a fit case to release him on bail.
7. I have heard learned counsel for the parties and perused the record.
8. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering that the prosecutrix appears to be minor, 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**