

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Proceedings through video conferencing****MCRC No. 2335 of 2021**

- Sunil Bairisal S/o Nankai Ram Bairisal Aged About 23 Years R/o Village- Nibhor, Post- Nibhor, District-Banda (Uttar Pradesh) At Present R/o Ward No.2, Ratakhar, Tinadafai, Korba, Tahsil And District- Korba, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through- The Station House Officer, Police Station- Kotwali, District- Korba, chhattisgarh.

---- Respondent

For Applicant	-	Dharmesh Shrivastava, Advocate.
For Respondent/State	-	Shri Sameer Sharma, Dy. Government Advocate.

Hon'ble Shri Prashant Kumar Mishra Ag. Chief Justice
Order On Board**18-06-2021**

1. This is the second bail application, the first bail application was dismissed with liberty to revive the prayer after examination of the prosecutrix on 14-01-2021 in MCRC No.7727 of 2020. Now, the prosecutrix has been examined.
2. This is the second bail application preferred by the applicant under Section 439 of Cr.P.C. for grant of bail, as he has been arrested in connection with Crime No.751/2020, registered at Police Station Kotwali, District- Korba (C.G.) for the offence punishable under Section 376 of the Indian Penal Code.

3. The applicant has committed forcibly sexual intercourse with the prosecutrix aged about 23 years.
4. Learned State counsel would oppose the prayer for grant of bail.
5. When examined in Court, the prosecutrix has not supported the prosecution, therefore, considering that the applicant is in jail since 05-09-2020 and the conclusion of the trial may takes some more time, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

SD/-

(Prashant Kumar Mishra)
Acting Chief Judge

Amardeep