

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3738 of 2021**

- Umesh Kumar @ Bablu, S/o Birbal Joshi, Aged About 27 Years R/o. Shivrinar, Kumhari, District Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through - The District Magistrate, Durg, District Durg Chhattisgarh.

---- Respondent

For Applicant :-Mr. Jitendra Gupta, Advocate
For Respondent-State:-Mr. V.R. Tiwari, Addl.A.G. with Mr. Arijit
Tiwari, PL

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

25/06/2021

1. This is the **second bail application** preferred by the applicant under Section 439 of CrPC for grant of bail, as he is arrested in connection with Crime No.236/2019, registered at Police Station Kumhari, District Durg C.G. for the offence punishable under Section 354(B) of the IPC and Section 8 of the POCSO Act.
2. The first bail application was dismissed after finding that the applicant has outraged the modesty of the prosecutrix, aged about 8 years.

3. Learned State counsel would oppose the prayer for grant of bail.
4. Considering the age of the prosecutrix and for the fact that the earlier bail application was dismissed on merits, I am not inclined to take any different view of the matter.
5. Accordingly, the second bail application is dismissed.

SD/-
(Prashant Kumar Mishra)
Acting Chief Justice

Ayushi