

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Proceedings through video conferencing**Order reserved on 28-07-2021Order delivered on 30-07-2021**MCRC No. 4995 of 2021**

- Rupesh Kumar Miri S/o Shiv Prasad Miri Aged About 30 Years R/o Qun, D/178, H.T.P.P., Darri, Police Station Darri, Tahsil Katghora District Korba Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Darri, District Korba Chhattisgarh.

---- Respondent**MCRC No. 4765 of 2021**

- Rupesh Kumar Miri S/o Shiv Prasad Miri Aged About 30 Years R/o Qun. D/178, H.T.P.P. Darri, Police Station Darri, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Darri, District Korba Chhattisgarh.

---- Respondent

For Applicant	-	Shri Pramod Verma, Senior Advocate with Shri Anchal Kumar Matre, Advocate.
For Respondent/State	-	Shri Chandresh Shrivastava, Dy. Advocate General.
For Objector	-	Shri Punit Ruparel, Advocate.

Hon'ble Shri. Prashant Kumar Mishra, Ag. Chief Justice**CAV Order**

1. Since both the bail applications are filed by the same applicant, they are being considered and decided by this common order.

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2. The applicant has preferred the second bail application under Section 439 of the Cr.P.C., as he has been arrested in connection with **Crime No.192/2020**, registered at Police Station – Darri, District- Korba (C.G.) for the offence punishable under Section 376, 384, 509(B) of the Indian Penal Code and Section 4 of the Protection of Children from Sexual offences Act, 2012.

MCRC No.4765 of 2021 :

3. The applicant has preferred the second bail application under Section 439 of the Cr.P.C., as he has been arrested in connection with **Crime No.191/2020**, registered at Police Station – Darri, District- Korba (C.G.) for the offence punishable under Section 376, 384, 509(B) of the Indian Penal Code.
4. These are the second bail applications. The first bail applications of the applicant were dismissed by common order dated 03-02-2021 reserving liberty to repeat the prayer after examination of both the prosecutrix.
5. As per allegation contained in the charge sheet, the applicant committed forcible sexual intercourse with both the prosecutrix, who are real sisters. Moreover, the applicant has also extorted Rs.1.5 lacs from them on threat that the photographs or video of their intimate relationship will be uploaded in the Internet.
6. Both the prosecutrix have been examined before the trial Court. Copies of their depositions have been filed before this Court. Both the prosecutrix have also appeared during virtual hearing through the video conferencing facility available at D.L.S.A. Korba. They have objected to the applicant's prayer for grant of bail.

7. Without elaborating about the statements of both the prosecutrix recorded before the trial Court, as the same may effect the trial, I am not inclined to release the applicant on bail.
8. Accordingly, both the bail applications of the applicant are rejected.

SD/-

(Prashant Kumar Mishra)
Acting Chief Justice

Gowri