

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6665 of 2020**

- Ajay Koshle, S/o Suresh Koshle, Aged About 19 Years, R/o Ward No. 14, Baikunth, Police Station- Tilda, Nevra, District- Raipur Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station- Tilda Nevra, District- Raipur Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Smita Jha Adv.
For Respondent/State	:	Mr. Roshan Dubey, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****14.01.2021**

1. Pursuant to the order dated 15.12.2020 of this Court, informant/ complainant namely Shri Antaram Nishad is present today. On being asked, he has made his 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. 47/2019 registered at Police Station- Tilda Nevra, District- Raipur (C.G.) for the offence punishable under Sections 376, 506 of IPC & Sections 4 & 6 of POCSO Act, 2012.
3. The first bail application of the applicant was dismissed as withdrawn vide order dated 20.12.2019 passed in MCRC No. 6390/2019.
4. The prosecution story, in brief, is that the present applicant committed rape with the prosecutrix. Based on this, offence has been registered. Present applicant has been taken into custody on 10.02.2019.

5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. She further submits that the applicant is in jail since 10.02.2019, 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 the offence committed by the applicant is of serious in nature 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 facts and circumstances of the case, especially nature and gravity of crime in question, 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**

Ruchi