

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7404 of 2021**

Samsheer Ali S/o Shri Karim Ali Aged About 36 Years R/o Nipaniya, PS Sipat, District Bilaspur, Current Address Khaprabhatta, Budhwari Bazaar, Korba, Tahsil and District Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Aadim Jati Kalyan Thana, Korba, District Korba Chhattisgarh.

---- Respondent

For applicant - Shri Dhiraj Kumar Wankhede and Shri Aadesh Ramteke, Advocates.

For Respondent/State –Shri Akash Pandey, PL.

Hon'ble Shri Justice Goutam Bhaduri**Order****15/11/2021**

1. This is the fifth bail application under Section 439 of Cr.P.C. The first bail application was rejected on 17/09/2018, second bail application was dismissed as withdrawn on 17/01/2020, third bail application was rejected on 14/02/2020 and fourth bail application was rejected on 19/08/2020.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 9/2018 registered in Police Station Aadim Jati Kalyan (AJK), Korba for offence punishable under sections 376, 506 & 384 of the IPC, 4 & 6 of the Protection of Children from Sexual Offences Act and 3(2)(v), 3(1)(r), 3(1)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and 66(E) 67(A) IT Act, 2000.
3. As per the prosecution case, a report was made by the prosecutrix that while she was minor the present applicant forcibly committed rape and the said act was captured in a mobile video and on the pretext that

the said video would be made viral, the applicant further committed sexual intercourse by extending threat and also demanded money, thereby the offence has been committed.

4. Learned counsel for the applicant submits that only two witnesses still remains to be examined, therefore the applicant may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Since only two witnesses are left to be examined, it appears that the trial is at the fag end, therefore I do not find any change of circumstances to reconsider the bail application.

7. Accordingly, the fifth bail application is dismissed. However, the trial court is requested to expedite the trial.

Sd/-

(Goutam Bhaduri)

JUDGE