

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8753 of 2020**

- Roshan Lal Chouhan S/o Khulan Chouhan Aged About 22 Years Resident Of Chhuritoli Police Chowki Dokda, Police Station Kansabel, District Jashpur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer , Police Station Narayanpur, District Jashpur Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. J.K.Saxena, Advocate
For Respondent-State	:-	Mr. Ravish Verma, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**02/03/2021**

1. Heard.
2. This is a **second bail application** filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.28/2016 (wrongly mentioned as 28/2019 in the bail rejection order dated 3.11.2020), registered at Police Station Narayanpur, District Jashpur C.G. for the offence punishable under Sections 363, 366, 376(ॢ) of the I.P.C. and Section 6 of the Protection of

Children from Sexual Offences Act, 2012.

3. The first bail application was dismissed as withdrawn in MCRC No.2687 of 2020 vide order dated 3.11.2020.
4. As per the prosecution case, applicant abducted the prosecutrix aged less than 18 years and committed forcible sexual intercourse during the period 11.3.2016 to 19.3.2016.
5. Learned State counsel would oppose the prayer for grant of bail.
6. Although, co-accused persons namely; Butu Bai, Khulan Ram and Govindram, who are parents and brother respectively of the present applicant have been released on bail by this Court in MCRC No.7089/2019 vide order dated 02.01.2020 but the fact remains that the allegation of committing rape is only against the present applicant, therefore, I am not inclined to release the applicant on bail at this stage.
7. Accordingly, the second bail application is dismissed. However, liberty is reserved in favor of the applicant to revive the prayer after examination of the prosecutrix.

SD/-

(Prashant Kumar Mishra)
Judge

Ayushi