

(2018) 06 CHH CK 0161

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 4422 Of 2018

Sudarshan Kashyap

APPELLANT

Vs

State of Chhattisgarh

RESPONDENT

Date of Decision: June 26, 2018

Acts Referred:

- Indian Penal Code, 1860 - Section 376
- Code Of Criminal Procedure, 1973 - Section 439

Hon'ble Judges: P. Sam Koshy, J

Bench: Single Bench

Advocate: Suresh Kumar Verma, Syed Majid Ali

Final Decision: Dismissed

Judgement

P. Sam Koshy, J

1. The present is a repeat application filed under Section 439 of CrPC seeking for grant of bail to the Applicant who is in jail since 9.8.2017 in

connection with Crime No. 255/2017 registered at Police Station- Tarbahar, District- Bilaspur, for the offence punishable under Section 376 of IPC.

2. The earlier bail application of the present Applicant stood withdrawn on 13.12.2017 with liberty to revive the same after the prosecutrix is examined. Now when the prosecutrix is examined the repeat bail application has been made.

3. Perusal of record would show that the prosecutrix has not supported the case and that almost all the major witnesses have been examined.

4. Given the aforesaid facts and circumstances, this Court is not inclined to grant bail to the Applicant at this juncture.

5. The bail application stands accordingly rejected. However, since almost all the major witnesses have been examined, the Trial Court is directed to ensure that the trial is concluded at the earliest.