

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.3656 of 2015

1. Sumitra Bai, W/o Gajadhar Singh, aged about 45 years,
2. Daddi, S/o Late Mahipal Singh, aged about 70 years,

Both are R/o Village Pendri, Police Station and Tahsil Manendragarh, Civil and Revenue District Korea, District Korea (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through Station House Officer, Police of Police Station Manendragarh, District Korea (C.G.)

---- Non-applicant

For Applicants:	Mr. Anil Gulati, Advocate.
For Non-applicant:	Mr. Siddarth Rathore, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

03/08/2015

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.100/2015, registered at Police Station Manendragarh, Distt. Korea, for the offence punishable under Sections 344, 363, 366, 368, 376 of the IPC, 4, 5 (झ), (ज) (2) (द) (थ), 6, 9 (द) (थ) and 10 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that co-accused Balendra Kumar kidnapped the prosecutrix and committed sexual intercourse with her since April, 2014 and wrongfully concealed her / confined her in the house owned by the present applicants.
3. I have heard learned counsel for the parties and perused the case diary.
4. Learned counsel for the applicants submits that the applicants have not

committed any offence, they have been falsely implicated in the case and they are in custody since 27-5-2015. He further submits that the main accused is Balendra Kumar and the applicants are aged persons. Charge-sheet is yet to be filed.

5. On the other hand, learned State counsel opposes the application.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicants, their age and the fact that they are parent and relative of main accused Balendra Kumar, I am of the view that it is a fit case to grant regular bail to the applicants. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicants be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Court for their appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge