

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3791 of 2015**

- Dara Singh Ratre, S/o Moti Ram Ratre, aged about 19 years, Occupation – Labour, R/o Kanha Bhaira, Police Station – Pipariya, Tahsil – Kawardha, Civil and Revenue District – Kabirdham (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through: District Magistrate/Station House Officer, Police Station- Pipariya, District – Kabirdham (C.G.)

----Respondent

For Applicant:	Mr. Dharmesh Shrivastava, Advocate.
For Respondent/State:	Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****10/08/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 124/2015 registered at Police Station Pipariya, District Kabirdham for the offences punishable under Sections 354, 294 & 506/34 of Indian Penal Code and Sections 7 & 8 of Protection of Children from Sexual Offences Act.

(2) Case of the prosecution is that present applicant along with other co-accused person Ashman @ Ashwini Banjare is alleged to have outraged the modesty of complainant on 15/5/2015 and thereby

committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicant is innocent person and he has falsely been implicated in the crime in question. He would further submit that co-accused namely Ashman Alias Ashwini Banjare has already been granted regular bail by this Court vide order dated 20.07.2015 in M.Cr.C. No. 3338/2015, and, therefore, the present applicant may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State, after verifying the records, would submit that present case is similar to that of accused person namely Ashman Alias Ashwini Banjare, who has already been granted regular bail by this Court vide order dated 20/07/2015 in M.Cr.C. No. 3338/2015.

(5) Considering the totality of the facts, in particular the fact that co-accused person namely Ashman Alias Ashwini Banjare has already been granted regular bail by this Court vide order dated 20/07/2015 in M.Cr.C. No. 3338/2015; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

