

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3992 of 2015**

1. Tikeshwar Prasad S/o Bharat Lal Rathor, Aged About 22 Years
R/o Charpara, Police Station - Kharsiya, Civil & Revenue District
Raigarh (C.G.)
2. Reshamlal S/o Dahku Ram Yadav Aged About 19 Years
3. Jaanu Bare (Ware) Teejram Bare (Ware) Aged About 20 Years

Applicants No. 2 & 3 resident of Khartal, Police Station -
Malkharouda, Civil & Revenue District Janjgir Champa (C.G.)

---- Applicants

Versus

State Of Chhattisgarh Through : Station House Officer, P.S.
Kharsiya, Civil & Revenue District Raigarh (C.G.)

---- Non-applicant

For Applicants:	Shri D.K. Singh, Advocate.
For Respondent/State:	Shri Suvigya Awasthy, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board By

17/08/2015

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 103/2015 registered at Police Station Kharsiya, Civil & Revenue District Raigarh for the offences punishable under Sections 363, 366/34 of Indian Penal Code.

(2) Case of the prosecution in brief is that on 18.03.2015 applicant with the help of other co-accused persons abducted complainant in order to compel her to marry with him against her will and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicants would submit that the applicants are innocent person and they have falsely been implicated in the crime in question. He further submits that the applicants are in jail since 16.04.2015; charge sheet has already been filed; and co-accused person namely Tilakdas Mahant has already been granted regular bail by this Court vide order dated 27.07.2015 in M.Cr.C. No. 3448/2015, 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 Tilakdas Mahant, who has already been granted regular bail by this Court vide order dated 27.07.2015 in M.Cr.C. No. 3448/2015.

(5) Considering the totality of the facts, in particular the facts that co-accused person namely Tilakdas Mahant has already been granted regular bail by this Court vide order dated 27.07.2015 in M.Cr.C. No. 3448/2015; and the applicant is languishing in jail since 16.04.2015; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the

application is allowed.

(6) Accused/applicants are directed to be released on bail on each of them 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. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-