

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7189 of 2015

1. Arjun Ram Rajwade S/o Ram Adhin Rajwade Aged About 27 Years R/o Village Rakaiya, P.S. Churcha, Tah. Baikunthpur, Distt. Korea, Chhattisgarh.
2. Awadhesh Rajwade S/o Ram Adhin Rajwade Aged About 24 Years R/o Village Rakaiya, P.S. Churcha, Tahsil Baikunthpur, Distt. Korea, Chhattisgarh.
3. Panchuram Rajwade S/o Ram Adhin Rajwade Aged About 19 Years R/o Village Rakaiya, P.S. Churcha, Tahsil Baikunthpur, Distt. Korea, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, P.S. Churcha Colliery, District Korea, Chhattisgarh.

---- Respondent

For applicants - Shri Sanjeev Verma, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

22/12/2015

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 110/2015 registered in Police Station Churcha Colliery, District Korea (C.G.) for offence punishable under section 294, 506, 323, 324, 307, 506-B, 34 of Indian Penal Code.
2. As per the prosecution case, one Ramdayal complainant went to return passbook of Pramila to her house. At that time applicants family members of Pramila assaulted Ramdayal to commit his murder, thereby offence is committed.
3. Learned counsel for the applicants submits that Ramdayal at the wee hours of night at about 11 pm went forcefully in to the house of Pramila and committed rape on her, therefore it was resisted and

subsequently the applicants who are the family members of Pramila assaulted and assault is not in nature which will cause death, therefore offence is not made out, therefore the applicants may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. I have perused the statement and the injury report. Injury report shows that it is simple in nature. Perused the statement of Pramila wherein it is stated that complainant Ramdayal committed rape. Considering these facts, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE