

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4258 of 2015**

1. Ramdev Nagesiya, S/o Gopi Ram, Nagesiya, aged about 18 years,
2. Sallu Nagesiya, S/o Sultu @ Ramrup, aged about 19 years.

Both R/o Village Luchki Kanti Prakashpur, P.S. & Tehsil Ambikapur, Civil & Revenue District Surguja (C.G.)

---- Applicants**Versus**

1. State Of Chhattisgarh Through: Station House Officer, P.S. Ambikapur, District Balramur (C.G.)

---- Non-applicant

For Applicant: Mr. Shakti Raj Sinha, Advocate.
For Non-applicant/State: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****24/08/2015**

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. 361/2015 registered at Police Station Ambikapur, Distt. Surguja for the offences punishable under Sections 354, 294, 506, 323, 341/34 of the Indian Penal Code & Sections 7 & 8 of POSCO Act.

(2) Case of the prosecution, in brief, is that applicants are alleged to have outraged the modesty of the minor prosecutrix

and also threatened her & abused her and thereby committed the aforesaid offences.

(3) Learned counsel for the applicants submits that applicants have been falsely implicated in the offence in question as they have not committed any offence. He further submits that applicants are languishing in jail since 15.07.2015; and the charge sheet has already been filed and, therefore, the applicants may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case, looking to the nature and gravity of the offence; further considering the facts that applicants are in custody from 15.07.2015; charge sheet has already been filed; this Court is of the opinion 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

