

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5559 of 2015

Jitendra @ Jeetu S/o Shri Banwari Lal Aged About 32 Years R/o Berlikhurd, Post Musepur, Police Station Dhakusanna, District Riwadi, (Hariyana).

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Of Police Station Durgukondal, District North Bastar Kanker Chhattisgarh.

---- Respondent

For applicant – Shri Ravish Verma, Advocate
For Respondent/State – Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

26/10/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 22/2014 registered in Police Station Durgukondal, Civil & Revenue District – North Bastar Kanker (C.G.) for offence punishable under section 365, 366, 368, 370 (3), 376, 384, 506 r/w 34 of IPC.
2. According to the prosecution story one Ajay @ Ganesh Sharma promised prosecutrix for a job and took her to Delhi and other places and during such period they stayed in few of the houses wherein Ganesh Sharma committed rape on her. It is further case of the prosecution that by force Ajay Sharma kept prosecutrix in the house of the applicant and one other co-accused.

3. Learned counsel for the applicant submits that initially the applicant was neither summoned in the original sessions trial case and he was not aware as to whether any criminal case has been filed against him. Learned counsel submits that other three co-accused Piyush Bhai, Prakash Bhai and Ganesh have been acquitted by an order dated 5th October, 2015, therefore applicant may be enlarged on bail.

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

5. I have heard learned counsel for the parties.

6. I have gone through the acquittal order of the other co-accused and the statement of the prosecutrix which is filed along with this petition. Having regard to the same without any observation on the merit, considering the fact other co-accused have been enlarged on bail, after going through the order, this court is inclined to release the applicant on bail.

7. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his 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 his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE