

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3256 of 2016

1. Ravi Singh, S/o. Hooblal Singh, aged about 26 years,
2. Suraj Patel @ Bhondu, S/o. Late Udal Patel, aged about 27 years,
Both are R/o. Village – Lamgaon, Police Station and Tahsil Lundra,
District – Surguja (C.G.)

----Applicants

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police of Police
Station- Lundra, District – Surguja (Chhattisgarh)

---- Respondent

For Applicants	: Mr. Rahul Mishra, Advocate
For Respondent/State	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05/07/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.22/2016, registered at Police Station – Lundra, District – Surguja (C.G.) for the offence punishable under Section 354/34 of the Indian Penal Code and Section 4, 8 of Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that on 19.03.2016 while the victim/girl aged about 16 years was waiting along with her friends outside in the road, both the applicants came there in Marshal and dragged the victim to board the vehicle, when she refused, she was tried to drag her in to the vehicle, which was intercepted by the other girls, thereafter, the applicants fled away and thereby tried to outrage the modesty of the victim/girl.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case and the victim and the applicants were known to each other and they asked the victim to board the vehicle when she refused, they did not apply much force and went away. He further submits that charge sheet in this case has been filed, and the applicants are in jail since 19.04.2016, therefore, the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the statement. Considering the facts and circumstances of the case, the degree of offence and the nature of allegation made and further taking into the fact that charge sheet in this case has been filed and the applicants are in jail since 19.04.2016, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge