

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5925 of 2016

Ratnamani Sahu S/o Makhan Lal Sahu Aged About 26 Years R/o
Heerapur, Tahsil Pathalgaon, District Jashpur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Bhupdeopur, District Raigarh Chhattisgarh.

---- Respondent

For applicant - Shri Suryakant Mishra, Advocate.
For Respondent/State – Shri Ashutosh Pandey, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

17/10/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.37/2011 registered in Police Station Bhupdeopur, District Raigarh (C.G.) for offence punishable under sections 376, 342/34 of Indian Penal Code.
2. As per the prosecution case, a report was made by the prosecutrix on 28/03/2011 that the applicant alongwith other co-accused has committed forcible rape on the prosecutrix. Thereby, offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case and trial against other co-accused has commenced wherein other co-accused has been acquitted in Sessions Trial No.56/2011 by order dated 12/06/2012 wherein as per para 12 no allegations have been attributed against the applicant, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the judgement dated 12/06/2012 which is placed on

record. It is recorded in para 12 of the judgement that prosecutrix has also not attributed any allegation against the applicant. Considering the same, without observation on the merits, this court is inclined to release the applicant on bail.

6. 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.

Sd/-

(Goutam Bhaduri)

JUDGE