

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6722 of 2016

1. Rewa Das Jogi, S/o. Chudaman Das, Aged About 38 Years.
2. Babu Lal Yadav, S/o. Dulare Yadav, Aged About 40 Years.

Both are R/o. Khada Khoh, Police Station Janakpur, District Korea, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Of Police Station - Janakpur, District Korea, Chhattisgarh.

---- Respondent

For Applicants : Mr. Anil Gulati, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02.11.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.69/2016 registered at Police Station- Janakpur, District Korea (C.G.) for the offence punishable under Section 354, 456, 506 r/w 34 of Indian Penal Code.
2. As per the prosecution case, on 03.05.2016 when the victim was alone in her house alongwith her children, at that time, the applicants Rewa Das, Babu Lal Yadav, Amarjit and Sukhlal forcefully entered into the house by breaking the door. The applicants Babu Lal Yadav & Rewa Das were standing outside the house and Sukhlal & Amarjit took out her Saree and tried to outrage her modesty and when the victim raised alarm, the neighbours came and thereafter all the accused persons fled away. Thereby, the offence has been committed.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case, the FIR was delayed by three days and no plausible explanation have been given, therefore, the applicants may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary, documents and the statement of the victim. Taking into the statement and the degree of allegation against the present applicants, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge