

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6727 of 2016

1. Narmada Yadav S/o Ramsharan Yadav Aged About 38 Years R/o Tarkela, Outpost Kunni, Police Station Lakhanpur, District Surguja, Chhattisgarh.
2. Sohar Yadav S/o Ramsamujh Aged About 45 Years R/o Tarkela, Outpost Kunni, Police Station Lakhanpur, District Surguja, Chhattisgarh.
3. Ramashankar @ Shankar Yadav S/o Ramavtar Aged About 27 Years (Wrongly Mentioned As Ram Autar), R/o Tarkela, Outpost Kunni, Police Station Lakhanpur, District Surguja, Chhattisgarh.

---- **Petitioners**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Ajak Ambikapur, District- Surguja, Chhattisgarh.(The Averments Of Police Station & District Wrongly Mentioned In Certified Copy).

---- **Respondent**

For Applicants : Mr. Anil Gulati, Advocate

For Respondent/State : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24-11-2016

1. Case diary has been produced. In compliance of the court order dated 16-11-2016, Investigating Officer Mr. Larang Ram, D.S.P., PS, AJAK, Sarguja, Ambikapur is present in person and is dispensed with.
2. 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 on 27-9-2016 in connection with Crime No. 36 of 2016, registered at Police Station Ajak Ambikapur, District Sarguja (CG) for the offence punishable under Sections 294, 506-B, 323, 354 of IPC and Section 3(1010) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
3. Case of the prosecution, in brief, is that on 25-9-2016 the applicants went to the house to the house of the victim girl when her husband was not there

and thereafter they asked her to vacate the house and having refused they assaulted her by way of club, abused her and also tried to outrage her modesty and thereby the aforesaid offence was committed.

4. Learned counsel appearing for the applicant would submit that charge-sheet has been filed in this case, the applicants are in jail since 27-9-2016 and no further investigation is required, therefore, they may be released on bail.
5. On the other hand, learned State counsel opposes the prayer for grant of bail. However, on instructions, he submits that investigation is almost complete in this case and charge-sheet has been filed.
6. I have heard learned counsel for the parties, perused the case diary and other documents.
7. Perused the statement of the victim girl and medical report.
8. Taking into consideration the facts and circumstances of the case, nature of offence and degree of allegations and further considering the fact that that charge-sheet in this case has been filed and the applicants are in jail since 27-9-2016, this court is inclined to release the applicants on bail.
9. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju