

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7049 of 2017

Hemraj Jangde S/o Bisahuram Jangde Aged About 43 Years R/o Village Kumhari Police Station Bhakhara, Tahsil Kurud Revenue And Civil District Dhamtari Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Officers In Charge , Police Station Bhakhara , District Dhamtari Chhattisgarh.

---- Respondent

Shri Sanjeev Kumar Sahu, counsel for the applicant/s.
Shri Manish Nigam, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

13/12/2017

Heard.

The applicant has been arrested in connection with Crime No.179/2017 registered at Police Station – Bhakhara, District – Dhamtari CG) for alleged commission of offences under Section 294, 323, 376, 420, 506 of IPC.

2. Case of the prosecution is that the applicant and co-accused were harassing the prosecutrix, cheated her and took away lots of money. Against the co-accused, it is alleged that on one occasion, he committed rape on the prosecutrix.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the alleged commission of offence and even according to the prosecutrix, rape was not committed by the applicant and even the applicant did not facilitate commission of such offence. Therefore, the applicant may be granted bail.

4. On the other hand, learned State counsel opposes bail application and submits that the applicant and co-accused were associated with each other. Therefore, the applicant is fully involved.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the applicant is not alleged to have committed offence of rape nor stated to be present at the spot at the time of commission of offence of rape, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the Trial Court. He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge