

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1438 of 2017

1. Pappu @ Vijay Kashyap S/o Khubu Ram, Aged About 22 Years,
2. Ramakant, S/o Khubu Ram, Aged About 26 Years
Both R/o- Village Pendari, Police Station & Tahsil Janjgir, District-
Janjgir Champa, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through- S.H.O. Police Station Janjgir,
District- Janjgir Champa, Chhattisgarh.

---- Respondent

For applicants - Shri Ravindra Sharma, Advocate.
For Respondent/State – Ms. Sunita Jain, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

20/03/2017

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.410/2016 registered in Police Station Janjgir, Dist. Janjgir-Champa (CG) for offence punishable under sections 376, 450/34 of Indian Penal Code.
2. As per the prosecution case, a report was made on 28/09/2016 that on 24/09/2016 at about 8' O clock the applicants alongwith one Ram Prasad entered in to the house of the prosecutrix initially assaulted family members of the prosecutrix, they were admitted to the hospital and subsequently at 4 am the applicant entered into the house of the prosecutrix and forcefully committed rape on her.
3. Learned counsel for the applicants submits that the prosecutrix and her husband have been examined in this case, they have not supported the case of the prosecution, no allegations have been attributed against the applicants, therefore the applicants may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of the prosecutrix and her husband. They have not supported the case of the prosecution. Considering such fact, without further observation on the merits, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE