

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5342 of 2017

1. Kashiram Yadav S/o Rajman Yadav, Aged About 42 Years,
2. Gangaram S/o Manbodh, Aged About 29 Years

Both by Caste Ahir, R/o Village Biharpur, Mungahiyapara, Tahsil Odgi, District Surajpur, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Chandani, District Surajpur Chhattisgarh. (Wrongly Mentioned As Mahila Cell, Surajpur, Chhattisgarh.

---- Respondent

For Applicant
For Respondent-State

Shri Rahul Mishra, Advocate
Shri Adhiraj Surana, Dy. GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

24/11/2017

1. The applicants have preferred this bail application under Section 439 CrPC, as they have been arrested in connection with Crime No.29/2017, registered at Police Station Chandani, District Surajpur for the offence punishable under Sections 450 and 376 (d) of IPC.
2. For an incident of gang rape, which took place during the intervening night of 1st of June and 2nd of June, 2017, the FIR was lodged on 02.06.2017. Although the prosecutrix is 39 years of age, however, she is firm in making statement against the

applicants in the FIR, statement under Section 161 CrPC and under Section 164 as well.

3. Without commenting on merits, the present is not found to be a fit case for the applicants' release on bail at this stage. Accordingly, the bail application is dismissed with liberty to the applicants to repeat the prayer after examination of the prosecutrix.

Sd/-

Judge

Prashant Kumar Mishra

Nirala