

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5628 of 2017

- Dinesh Rajwade S/o Mittu Ram Rajwade, Aged About 24 Years R/o Shrigarh, Patel Para, P S Kotwali, District Surguja, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station AJAK, Ambikapur, District Surguja, Chhattisgarh.

---- Respondent

And

MCRC No. 6099 Of 2017

- Gopal @ Gopi S/o Satanand, Aged About 24 Years R/o Village Patel Para, Police Station Kotwali, District Surguja, Chhattisgarh.

---- Petitioner

Vs

- State Of Chhattisgarh Through Station House Officer, Police Station AJAK. Ambikapur, District Surguja, Chhattisgarh.

---- Respondent

For respective
Applicants

Shri Jitendra Shrivastava and Shri
Awadh Tripathi, Advocates.

For Respondent/State Ms K.Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

30/11/2017

1. The applicants have preferred these bail applications under Section 439 Cr.P.C, as they have been arrested in connection with Crime No. 23/2016, registered at Police Station AJAK, Ambikapur District Surguja (C.G). for the offence punishable under Sections 376, 366, 506 & 342 of the IPC and Section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act, 1989).
2. Applicant Gopi Rajwar along with 5 other accused abducted by lifting the prosecutrix from the Marriage Mandap and thereafter Gopi Rajwar committed forceable sexual intercourse number of times at different locations. A week prior to the date of marriage Gopi Rajwar committed forceable sexual intercourse with the prosecutrix.
3. Applicant Dinesh Rajwade is one of the accused who accompanied the main accused Gopi Rajwar while the prosecutrix was abducted. One such accused Krishna Rajwade has already been released on bail in MCRC(A) 1253 of 2016.
4. Considering the nature of evidence against the applicant Gopal @ Gopi, this Court is not inclined to release him on bail at this stage. Accordingly, the bail application (M.Cr.C.No.6099/2017) of the applicant **Gopal @ Gopi** is dismissed. He may revive his prayer after examination of the prosecutrix.
5. Considering the facts and circumstances of the case, particularly considering the release of similarly placed co-

accused Krishna Rajwade on anticipatory bail by this Court; and consider the fact that the applicant is in detention since 22/8/2017, this Court is inclined to release the applicant **Dinesh Rajwade** on bail. Accordingly, the application (M.Cr.C.No.5628/2017) is allowed and the applicant is directed to be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one surety each for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Judge

Prashant Kumar Mishra

Akhilesh