

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6657 of 2017

1. Devraj Kashyap S/o Sonu Ram Kashyap Aged About 19 Years R/o Village Bade Kanera, Plot Para, Police Station- Kondagaon, District Kondagaon, Chhattisgarh.
2. Leshwar (Correct Name is Lakheshwar) Kashyap, S/o Govind Kashyap Aged About 20 Years R/o Village Bade Kanera, Plot Para, Police Station- Kondagaon, District Kondagaon, Chhattisgarh.
3. Rupdhar Kashyap Alias Rukdhar Kashyap, S/o Mehattar Ram Kashyap, Aged About 24 Years R/o Village Bade Kanera, Plot Para, Police Station- Kondagaon, District Kondagaon, Chhattisgarh. ---

Petitioners

Versus

- State of Chhattisgarh through Police Station- Kondagaon, District Kondagaon, Chhattisgarh. --- **Respondent**

For the applicants	:	Mr. Ravi Kumar Bhagat, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05.12.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 190/2017 registered at Police Station Kondagaon, Distt. Kondagaon (C.G) for the offences punishable under Sections 354 & 34 of IPC and Section 8 of the Protection of Children from Sexual Offences Act.
2. As per the prosecution case, on 01.09.2017 a report was made by the father of victim that on 31.08.2017 while the she was returning from the celebration of Lord Ganesh, at that time applicant No.1 caught hold of the victim and the other applicants have also accompanied and tried to outrage

her modesty. It is alleged that when her uncle has intervened the incident, the applicants fled away and the victim being minor the offence has been committed.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case; the charge sheet has been filed and no further investigation is necessary. He further submits that the applicants are young boys and are in jail since 02.09.2017 and looking to the nature of allegations, they may be enlarged on bail.
4. On the other hand, learned State Counsel opposes the bail application.
5. Considering the facts and circumstances of the case and the nature of allegations levelled against the applicants as also the fact that the charge sheet has been filed and the applicants are in jail since 02.09.2017, I am inclined to allow this bail application.
6. Accordingly, this application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**