

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8674 of 2016

1. Rakesh Sahu, S/o. Aajuram Sahu, aged about 23 years
2. Pitram, S/o. Agghan Patel, aged about 24 years,
Both are R/o. Village- Karda, P.S. - Kasdol, District – Balodabazar-Bhatapara (C.G.)

---- Applicants

Versus

The State of Chhattisgarh, Through : Station House Officer, Police Station – Kasdol, Out Post-Lawan, District – Balodabazar-Bhatapara (C.G.)

---- Respondent

For Applicants	:	Mr. A.S. Rajput, Advocate
For Respondent	:	Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

16/01/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.478/2016, registered at Police Station- Out post – Lawan, Kasdol, District – Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 454, 354, 34 of Indian Penal Code.
2. Case of the prosecution in brief is that a report was made by the victim that on 18.11.2016 that while the victim was alone in the house, the applicants entered into the house and tried to outrage the modesty of the victim and when the father came, the applicants fled away. Thereby the offence has been committed.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case and when the father came, the victim has lodged the report. It is further submitted that charge-sheet in this case has been filed and the applicants are in jail since 05.12.2016 and 25.11.2016 respectively, therefore, the counsel prays that the

applicants may be enlarged on bail.

4. On the other hand, learned State counsel opposes the bail application.
5. I have heard the learned counsel for the parties.
6. Perused the statement of the victim. Considering the facts and circumstances of the case, the nature of offence and the degree of allegation, charge-sheet in this case has been filed and the applicants are in jail since 05.12.2016 and 25.11.2016 respectively, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge