

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8057 of 2017

- Mohammad Manjur Alam Ansari S/o S/o Mohammad Yasin Ansari, Aged About 55 Years R/o Ward No. 36, Ganjpara, Durg Tahsil And District Durg Chhattisgarh , Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Nagari, Civil And Revenue District Dhamtari Chhattisgarh, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Sanjay K. Agrawal, Advocate.
For Respondent/State	:	Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

02/04/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.71/2017 registered at Police Station– Nagari, District– Dhamtari(C.G.) for the offence punishable under Sections 365, 376(2), 506, 345, 341 & 120-B of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 10.11.2017. No case is made out against this applicant. The prosecutrix is a major girl of age 25 years. The only allegation against this applicant that he provided shelter to the main accused Hashrat Ansari where he kept the prosecutrix in confinement for some time. Applicant is ready to abide by all the conditions and directions, which

may be imposed while granting bail to him. Hence, it is prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to the allegation against this applicant is that, the main accused Harshrat Ansari abducted the prosecutrix and raped her while his stay at Allahabad. Later on, the main accused Harshrat Ansari along with the prosecutrix came to the house of this applicant and stayed there for one day.
6. After considering on all the material against this applicant in this case, I feel inclined that applicant should be granted regular bail during the pendency of the trial against them.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge