

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 1669 of 2018

1. Satpal Singh Kanwar S/o Manglu Singh Kanwar Aged About 26 Years R/o- Village- Dondro, P.S. Balco, Tahsil And District- Korba, Chhattisgarh., District : Korba, Chhattisgarh
2. Dev Singh Kanwar S/o Vishal Singh Aged About 28 Years R/o- Village- Dondro, P.S. Balco, Tahsil And District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through- Station House Officer, Balco, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

For the Applicants	:	Shri Surfaraz Khan, Advocate.
For the Respondent/State	:	Ms. K. Tripti Rao, PL

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23.04.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who have been arrested in connection with Crime No. 40/2018, registered at Police Station – Balco, District– Korba, (C.G), for the offences under Section 354/34 of the Indian Penal Code and Section 8 of Protection of Children From Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicants have been falsely implicated in this case and they are in jail since 24.01.2018. After completion of investigation the charge-sheet has been filed and the case is pending before the trial Court. The applicant is ready to abide by all the conditions which may be

imposed while granting bail to the applicants, hence, it is prayed that the applicants may be released on bail.

3. Learned counsel for the State opposes the bail application and submission made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. The prosecution case is this that on the date of incident the victim in this case had been to fetch water. The applicant No.1 reached there and at first proposed her to marry with him, thereafter, caught hold of her hand. Witness present on the spot objected to it. Applicant No.2 was standing with him and laughing. Hence, this case.
6. Considered on the submission and contents of the case diary, the applicant is in detention since quite some time, after filing of the charge-sheet no purpose would be served, if the, applicant is kept in detention, till the completion of the trial, hence, this Court is of the opinion that this applicant should be released on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on each of them 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.

Sd /-

(Rajendra Chandra Singh Samant)
Judge