

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 1895 of 2018**

Sukanti @ Manju Harpal, W/o Heeralal Harpal, aged about 23 years, R/o Mandir Hasoud,  
District – Raipur (C.G.)

**---- Applicant****Versus**

State of Chhattisgarh, Through – Police Station Tikrapara, Raipur, District Raipur (C.G.)

**---- Non-applicant**


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| For Applicant :     | Mr. Pawan Kesharwani, Advocate.  |
| For Non-applicant : | Mr. Avinash Singh, Panel Lawyer. |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****23/04/2018**

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 135/2017 registered at Police Station Tikrapara, Raipur (C.G.) for the offence punishable under Sections 363, 368, 372 & 376 read with Section 34 of the Indian Penal Code and Section 3,4,5 & 6 of the POSCO Act.

(2) Case of the prosecution, in brief, is rape is alleged to have been committed by co-accused -Baba @ Sapan Das whereas present applicant compelled the prosecutrix to indulge in the business of prostitution and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicants would submit that the applicants are innocent person and they have falsely been implicated in the crime in question. He would further submit that co-accused namely Baba & Sapan Das has already been granted regular bail by this Court vide order dated 20.02.2018 passed in M.Cr.C. No. 7739/2017 and, therefore, the present applicant may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State would opposes the bail application.

(5) Considering the totality of the facts, in particular the fact that co-accused person has already been granted regular bail by this Court vide order dated 20.02.2018 passed in M.Cr.C. No. 7739 of 2017 and applicant is in detention since 10.04.2017; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)  
Judge

D/-

