

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.2194 of 2018**

Alok Lakda, S/o Birbal Lakda, aged about 23 years, R/o Barwagali, Dhimra Chowk, Raigarh, presently residing at Raikera, Police Station Kunkuri, District Jashpur, Chhattisgarh

---- Applicant

versus

State of Chhattisgarh through Station House Officer, Police of Police Station Kunkuri, District Jashpur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Anil Gulati, Advocate
For Respondent	:	Smt. M. Asha, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****4.5.2018**

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 has been arrested in connection with Crime No.15 of 2018 registered at Police Station Kunkuri, District Jashpur for offence punishable under Sections 395, 354, 341, 342, 34 of the Indian Penal Code and Section 10 of the Protection of Children from Sexual Offences Act.
2. Case of the prosecution, in brief, is that on 12.1.2018, the prosecutrix had lodged a report with Police Station Kunkuri alleging that on the said date at about 9:30 p.m. when she was going along with her friend Deepak from Jashpur to Kunkuri, near the bus-stand, the Applicant along with other co-accused persons came in a Scorpio and asked about their presence in the night hours. It is further alleged that they looted one mobile phone and

Rs.5,000/- cash from the purse of the prosecutrix and one mobile phone and Rs.7,000/- cash from her friend Deepak. During this period, one of the accused persons was touching private part of the prosecutrix and was also dragging her towards the field. Somehow, she called for help from the passing by vehicles and then accused persons fled from the spot. On the basis of said written report, a First Information Report was registered and the Applicant was arrested.

3. Learned Counsel appearing for the Applicant submits that the Applicant has falsely been implicated. He is in custody since 13.1.2018. Charge-sheet has been filed. Trial will take a long time. Other co-accused persons, namely, Vikash Tirkey, Justin Tirkey, Ankit Soni and Vivek Yadav have been granted regular bail by this Court vide order dated 27.4.2018 passed in M.Cr.Cs. No.1990 of 2018, 2105 of 2018, 2095 of 2018 and 2191 of 2018, respectively. Therefore, the present Applicant may also be released on bail.
4. Learned Counsel appearing for the Respondent/State opposes the bail application.
5. I have heard Learned Counsel appearing for the parties and perused the entire material available with due care.
6. Considering the facts and circumstances of the case, particularly that charge-sheet has been filed, the Applicant is in custody since 13.1.2018, trial is likely to take time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.

7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on furnishing a personal bond in the sum of Rs.20,000/- with one solvent surety of the like sum to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
JUDGE