NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7833 of 2017

1. Bosu @ Rakesh Suryavanshi S/o Bhairam Suryavanshi, Aged About 20 Years, R/o Village Mohtarai, Police Station Ratanpur, Tahsil And District Bilaspur Chhattisgarh., Chhattisgarh
2. Biru @ Birendra Suryavanshi, S/o Munna Lal Suryavanshi, Aged About 27 Years, R/o Village Mohtarai, Police Station Ratanpur Tahsil And District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Ratanpur, District Bilaspur Chhattisgarh., Chhattisgarh

---- Non-applicant

For Applicants – Shri Purushottam Das Manikpuri, Advocate.
For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26-02-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicants for grant of regular bail. The applicants have been arrested on 21-11-2017 in connection with Crime No.351/2017 registered at P.S. Ratanpur, District Bilaspur, Chhattisgarh for the offence under Section 354/34 of the IPC.

2. It is submitted on behalf of the applicants, that the applicants have been falsely implicated in this case. No case is made out against them on the basis of material present in the charge sheet. The applicants are in jail since 21-11-2017. They are local residents of District Bilaspur and are ready to abide by all the conditions to be imposed on bail. Hence, it is prayed that the applicants may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and the submission made in this respect.

4. Heard learned counsel for the parties and perused the case diary.

5. On the date of incident, the prosecutrix/victim was on her way home, at

that time the applicants along with 4 to 5 other persons whom she could not identify with intent of outraging her modesty caught hold of her and took her pulling towards the fields. The victim raised alarm, because of which, her mother and uncle came on the spot, on seeing them the applicants abused them and threatened them and left the spot.

6. Considered on the submissions made and the contents of the case diary.

7. Considered on the nature of the offence committed by these applicants and taking into consideration the facts that the applicants are local residents of District Bilaspur, trial against them is likely to take some time before its conclusion, I am of this view that the applicants should be released on bail during pendency of the trial against them.

8. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Aadil