

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2813 of 2018**

- Bablu @ Laxman Chouhan S/o Chamak Lal Chouhan, aged about 22 years, R/o Mohandikala, P.S. Sakti, District Janjgir-Champa (C.G.).

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station Sakti, District Janjgir-Champa (C.G.).

---- Respondent

For Applicant	:	Shri Ishwar Jaiswal, Advocate.
For Respondent.	:	Shri Sanjeev Pandey, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra**Order on Board****23/05/2018**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 30.01.2017 in connection with Crime No.20/2017 registered at Police Station : Sakti, District Janjgir-Champa (C.G.) for the offence punishable under Sections 364, 307, 376 (D), 34 of IPC and Section 3 (2) (v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. The applicant and co-accused Chandu have allegedly committed forcible sexual intercourse amounting to gang rape with the prosecutrix aged about 19 years. Co-accused Chandu has been released on bail in MCRC No.7384/2017 mainly on the ground that the prosecutrix has not supported the case of the prosecution when she was examined in the

Court. The reason which found favour with the coordinate Bench to release co-accused Chandu on bail would also apply to the case of the present applicant.

3. In view of deposition of the prosecutrix available at Page No.15 of the paper book, without further commenting anything on merit, this applicant is also deserves to be released on bail.
4. Accordingly, the application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court for his appearance before it as and when directed.

Sd/-

(Prashant Kumar Mishra)
Vacation Judge