

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 2891 of 2018**

- Yashwant Nishad @ Chhotu S/o Bhagat Nishad, Aged About 20 Years, R/o- Village- Samerpara, Farsiyan, Police Station- Nagri, District- Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station Nagri, District- Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

**---- Non-applicant**

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For Applicant – Shri S.K. Agrawal, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**08-05-2018**

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 applicant for grant of regular bail. The applicant has been arrested on 10-11-2017 in connection with Crime No.71/2017 registered at P.S. - Nagri, District- Dhamtari, Chhattisgarh for the offence under Section 365, 376(2), 506 Part -2, 345, 341, 120-B of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case only for the reason that he happens to be the friend of main accused Hasrat Ansari. No offence is made out against him on the basis of material present in this case. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. It is alleged that on 28-09-2017 main accused Hasrat Ansari abducted the prosecutrix and took her in a car and thereafter he wrongfully confined her by subjecting her to threat, it is further alleged that he has committed offence of rape with the prosecutrix. Allegation against this applicant, according to the

statement of witnesses, is this that he happens to be associate of the main accused person.

6. On perusal of the diary statement of the witnesses, it appears that involvement of this applicant in this case is yet to be made out in the investigation or trial. Hence, for this reason, I am inclined to grant regular bail to this applicant.

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

8. Certified copy today.

Sd/-

**(Rajendra Chandra Singh Samant)**  
**Judge**