

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3633 of 2018

1. Smt. Shitla Bande W/o Sunil Bande Aged About 42 Years R/o- Ward No. 10 Sevtapara Dongargaon, P.S. Dongargaon, District- Rajnandgaon, Present R/o- Village Paneka House Of Kiran Patel.
2. Smt. Vina Ramteke W/o Shri Surendra Ramteke Aged About 37 Years R/o- Mamta Nagar Road, Near Anand Mangal Bhavan, District- Rajnandgaon, Present R/o Ward No. 06 Cinema Line Dongargaon, District- Rajnandgaon, Chhattisgarh.
3. Smt. Baby Sontapar W/o Prakash Sontapar Aged About 35 Years R/o- Ward No. 45 Gokul Nagar, Gokuldharm Society, House No. 23, Rajnandgaon, District- Rajnandgaon, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through- Station House Officer, P.S.- Dongargaon, District- Rajnandgaon, Chhattisgarh.

---- Non-applicant

For Applicants : Shri Shailendra Dubey, Advocate.

For Non-applicant : Shri Anil S. Pandey, Government Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

12.06.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 108/2018 registered at Police Station – Dongargaon, District – Rajnandgaon (C.G.) for the offence punishable

under Sections 354, 354A, 354C, 354(३०)/34 of the Indian Penal Code and Sections 8, 10, 21 of the Protection of Children from Sexual Offences Act.

3. Shri Shailendra Dubey, counsel for the applicants filed copy of the common order dated 18.05.2018 passed in MCRC No. 3367 of 2018 and MCRC No. 3590 of 2018.

4. Case of the prosecution, in brief is that the main accused Ajesh Kumar Shukla used to eve tease minor girls of the school. The allegation against the applicants is that they had not intimated about the alleged incidents to the higher officers.

5. The applicants are in custody since 07.05.2018.

6. Learned counsel for the applicant submits that the applicants have no criminal background. They are the school faculties and have no direct connection with the commission of the alleged offence, therefore, they shall be released on bail.

7. On the other hand, learned counsel for the State opposes the bail application.

8. The main accused Ajesh Kumar Shukla and the other co-accused Smt. Deepa Sao and Smt. Durga Hirwani have already been released on bail by the co-ordinate Bench of this Court on 18.05.2018. The case of the applicants is similar to the aforesaid co-accused.

9. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, the trial will take its own time, this Court is inclined to give benefit of Section 439 of the Cr.P.C. to the present applicants.

10. Accordingly, the present bail application filed under Section 439 of

the Cr.P.C., is allowed.

11. It is directed that if the applicants furnish one solvent surety for a sum of Rs.25,000/- each along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that they will appear before the Trial Court at 11:00 am as and when directed till trial and they would cooperate during the trial, they shall be released on bail.

12. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
V. JUDGE