

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 3838 of 2018**

1. Amarchand Kunjam S/o. Ramsingh Kunjam, Aged About 28 Years Residing At Village Stopdem Para, Narharpur, P. S. Narharpur, District North Bastar, Kanker, Chhattisgarh.
2. Khilesh Yadav, S/o. Bishmbhar Yadav, Aged About 20 Years R/o Village Narharpur, P.S. And Tahsil Narharpur, District North Bastar, Kanker, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh, Through The Police Station Narharpur, District North Bastar, Kanker, Chhattisgarh.

----Non-applicant

For Applicants	:	Mr. P.K. Tulsyan, Advocate
For State	:	Mr. Syed Majid Ali, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/07/2018**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicants, who have been arrested in connection with Crime No. 116/2017 registered at Police Station Narharpur, District North Bastar, Kanker, Chhattisgarh for the offence punishable under Sections 376(d), 450, 506, 392, 341, 34 of Indian Penal Code and 3(1)(b) & 3(2)(v) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989.
2. The present applicants are in jail since 05.10.2017 in connection with the aforesaid Crime number.
3. The counsel for the applicants submits that the prosecutrix has since been examined before the trial Court and she has not supported the case of prosecution and has turned hostile. As such

there is no possibility of the applicants to be convicted in the case and thus prayed for releasing the applicants on bail.

4. The State counsel does not dispute the fact that the prosecutrix has not supported the case of prosecution.
5. Given the aforesaid facts and circumstances of the case, this Court is of the opinion that, prima-facie, a strong case has been made out for grant of bail to the present applicants.
6. Accordingly, the application for grant of bail is allowed. It is ordered that the applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Trial Court. The applicants shall thereafter appear before the Trial Court on each and every date given by the said court.

Sd/-
(P. Sam Koshy)
Judge

Ved