

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.3851 of 2018**

- M. Vasu S/o M. Raju, Aged About 22 Years R/o Block No. 30/D, Cross Street-1, Sector-01, Bhilai, District Durg Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Bhilai Bhatti, District Durg Chhattisgarh.

---- Respondent

For Applicant	: Shri Punit Ruparel, Advocate
For respondent/State	: Shri Sanjeev Pandey, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****26.6.2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, for grant of bail to the applicant who has been arrested on 28.3.2018 in connection with Crime No.44/2018, registered at Police Station Bhilai Bhatti District- Durg (CG) for the offence punishable under Sections 376, 120-B, 34 of the Indian Penal Code.

2. Case of the prosecution is that co-accused D. Shreenu committed rape on the prosecutrix and allegation against present applicant is that he provided one key of the house where D. Shreenu committed rape on her.

3. Learned counsel for the applicant submits that name of the present applicant is not mentioned in the FIR and his name is also not mentioned in the statement recorded under Sections 161 & 164 of CrPC, therefore, the applicant may be released on bail.

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

5. I have heard learned counsel for the parties and perused the case diary.

6. Looking to the FIR and other facts and peculiar circumstances of the case, without further commenting on the merits of the case, I am inclined to allow the application.

7. Accordingly, application filed under Section 439 of the CrPC is 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 local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Sd/-

(Ram Prasanna Sharma)

JUDGE