

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3974 of 2018

Banti @ Tilak Fekar, aged about 26 years, R/o Purani Basti, Govardhan Chowk
Balodabazar Thana and Tahsil Balodabazar- Bhatapara (C.G.).

---- Applicant

Versus

State of Chhattisgarh through Station House Officer, Police Station- City
Kotwali, Civil & Revenue Distt. Balodabazar- Bhatapara (C.G.).

---- Respondent

AND

MCRC No. 3990 of 2018

1. Shyamcharan @ Konda S/o Shri Samaru Patel, aged about 46 years,
2. Sagar Chandrakar S/o Shri Pawan Chandrakar, aged about 19 years,

Both R/o Purani Basti, Govardhan Chowk, Balodabazar Thana and Tahsil
Balodabazar, Distt. Balodabazar- Bhatapara (C.G.).

---- Applicants

Versus

State of Chhattisgarh through Station House Officer, Police Station- City
Kotwali, Civil & Revenue Distt. Balodabazar- Bhatapara (C.G.).

---- Respondent

For Applicants	:	Mr. Sunil Sahu, Advocate
For Respondent	:	Mr. Ramakant Pandey, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

27/06/2018

1. Heard.
2. Since both the cases arise out of same Crime number, therefore, they
are being disposed of by this common order.
3. The applicants have preferred first bail applications (in both the cases)

under Section 439 of the Cr.P.C for grant of regular bails as they are arrested in connection with Crime No. 260/2018 registered at Police Station- City Kotwali, Civil & Revenue, Distt. Balodabazar- Bhatapara (C.G.) for the offence punishable under Sections 354/34 of IPC.

4. As per prosecution story on 11/05/2018 when complainant, a married lady, was in public toilet, applicant- Banti entered into the toilet and tried to outrage her modesty. It is also alleged that co-accused/applicants- Shyamcharan and Sagar were also present there. On the basis of report made by the complainant, the police has registered the offence. The applicants were arrested on 16/05/2018.
5. Counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that the applicants are in custody since 16/05/2018, trial will likely to take some time and the offence is triable by the JMFC, therefore, the applicants may be released on bail.
6. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
7. I have heard learned counsel for both the parties.
8. Considering the above facts and circumstances of the case, particularly that the applicants are in custody since 16/05/2018, trial will likely to take some time to conclude and the offence is triable by the the JMFC, without further commenting on merit of the case, I am inclined to release the applicants on bail.
9. Accordingly, the bail applications are allowed. It is directed that the applicants shall be released on bail on each of them executing

personal bond for a sum of Rs. 10,000/- with one surety each to the satisfaction of the trial Court. Thereafter, they will appear before the Trial Court on each and every date as is given to them by the said Court in this regard.

Sd/-

Judge
Arvind Singh Chandel

Rahul