

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4134 of 2018**

1. Sefali Bala, W/o Motkabala, aged about 50 years, R/o Kamalpur, Police Station – Jainagar, Distt. Surajpur (C.G.)

2. Motkabala, S/o Jaminibala, aged about 62 years, R/o Kamalpur, Police Station- Jainagar, Distt. Surajpur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through : Station House Officer, Police Station – Jainnagar, Distt. Surajpur (C.G.)

---- Non-applicant

For Applicants	:	Mr. Amarnath Pandey, Advocate
For Non-applicant	:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

04/07/2018

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 55/2018 registered at Police Station Jainagar, Distt. Surajpur (C.G.) for the offence punishable under Sections 363, 366, 368 & 376 (34) of the Indian Penal Code and Section 4 & 6 of the POSCO Act.

(2) Case of the prosecution, in brief, is that one co-accused namely Sunil Gangwar committed sexual intercourse with the prosecutix after abducting her and the present applicant assisted the main accused in kidnapping and offence of rape and thereby committed the aforesaid offences.

(3) On the other hand, counsel for the State opposes the bail application.

(4) Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, role of the applicants in the offence in question and the facts that applicants are in jail since 01.04.2018 and charge sheet has been filed; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.

(5) Accused/applicants are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

