

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4426 of 2018**

Niranjan Baghel, S/o Roopsingh Baghel, aged about 22 years, R/o Village Satlawand Khaspara, District Bastar (C.G.)

---- Applicant**Versus**

State of Chhattisgarh, Through, Outpost Bakawand, Police Station : Nagarnar, District Bastar (C.G.)

----Non-applicant

For Applicant	:	Mr. Dashrath Kushwaha, Advocate
For Non-applicant	:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****02/07/2018**

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 253 / 2017 registered at Police Station Outpost Bakawand, P.S. Nagarnar, District Bastar (C.G.) for the offences punishable under Sections 363 & 366 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that co-accused has committed sexual intercourse with the minor prosecutrix whereas present applicant assisted the co-accused, who committed rape on the minor prosecutrix and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has not committed any offence and he has been falsely implicated in the crime in question. He submits that the rape has been committed by co-accused Bhunit and the applicant has no role to play in the crime in

question. He further submits that application is in detention since 22.11.2017 and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

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

(5) Taking into consideration the facts & circumstances of the case, further considering the role of the applicant in the crime in question; applicant is in jail since 22.11.2017 and charge sheet has already been filed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his 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. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

