

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4715 of 2018

1. Ramavatar Patre S/o Bhatirathi Patre, Aged About 21 Years, R/o- Village Boriya, Police Station And District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh
2. Neeraj Patre S/o Shri Bharatlal Patre, Aged About 25 Years, R/o- Village Boriya, Police Station And District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh
3. Mohanlal Banjare @ Pappu S/o Shri Makhanlal Banjare, Aged About 19 Years, R/o- Village Boriya, Police Station And District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police of Police Station- Bemetara, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

----Non-applicant

For Applicants – Mr. Anil Gulati, Advocate.

For Non-applicant/State –Ms. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24-07-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicants for grant of regular bail. The applicants have been arrested on 27-05-2018 in connection with Crime No.281/2018 registered at P.S. - Bemetara, District- Bemetara, Chhattisgarh for the offence under Section 354 r/w 34 of the IPC.
2. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. They are in jail since 27-05-2018. No case is made out against them. The prosecutrix has given statement of omission under Section 164 of the Cr.P.C., according to which, these applicants are entitled for grant of bail. Hence, it is prayed that the applicants may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, these applicants by force took the minor victim on motorcycle to a place and had outraged her modesty by touching her body parts. Hence, this case.
6. Considered on the material present in the case diary. After perusing the statement given by the victim under Section 164 of the Cr.P.C., I am of the opinion that this is a fit case for grant of bail to the applicants.
7. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.
8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge