

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6077 of 2018**

1. Kishan Yadav, son of Shri Ghurau Yadav, aged about 18 years and 3 months.
2. Ravilal son of Ramdas Yadav, aged about 22 years.

Both are resident of Dullapur, Chowki Beladula, Police Station Sarsinwa, District Balodabazar Bhatapara (CG).

---- Applicants**Versus**

State of Chhattisgarh, through Incharge Outpost Beladula, Police Station Sarsinwa, District Balodabazar Bhatapara (CG).

---- Non-applicant

For Applicants	: Mr. V.R. Tiwari & Mr. Raghvendra Pradhan, Advocates.
For Non-applicant	: Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****23.10.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and their no other bail application are pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.235/2018 registered at Police Station Outpost Beladula, Police Station Sarsinwa, District Balodabazar Bhatapara for the offence punishable under Section 354(b)/34 of IPC and Section 8 of Protection of Children from Sexual Offences Act, 2012.
3. Case of the prosecution, in brief is that the prosecutrix is aged about 17 years old. She is resident of village Beladula Sarsinwa. When

she was going to school, applicants were stalking her. Applicant No.1- Kishan Yadav caught her hand saying that he loves her and Applicant No.2-Ravilal pressurized her for loving with the applicant No.1.

4. Counsel for the applicants submits that the applicants have not committed any offence. They are innocent and have been falsely implicated in the present case, therefore, they may be released on bail.
5. On the other hand, counsel for the State opposes the prayer for grant of bail to the applicants.
6. I have heard counsel for the parties and perused the case diary with utmost circumspection.
7. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence; and the trial is likely to take some more time for its final disposal, this Court is inclined to give benefit of Section 439 of the Cr.P.C. to the applicants.
8. Accordingly, the present bail application filed under Section 439 of the Cr.P.C., is allowed.
9. It is directed that if the applicants furnish two solvent sureties for a sum of Rs.25,000/- each along with personal bond in the sum of Rs.50,000/- each to the satisfaction of the concerned Trial Court with the condition that they shall appear before the Trial Court at 11:00 am as and when directed till trial and they would co-operate during the trial, they shall be released on bail.
10. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-