

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8346 of 2018**

1. Gorelal Yadav S/o Sundar Lal Yadav Aged About 23 Years R/o Village Sonari, Yadav Para, P. S. Sonhat, District Koriya Chhattisgarh, Chhattisgarh
2. Ramnarayan Patel @ Bablu S/o Indal Prasad Patel Aged About 20 Years R/o Village Sonari, Khal Para, P. S. Sonhat, District Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- **Applicants**

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Ajak Baikunthpur, District Koriya Chhattisgarh.

---- **Respondent**

For the Applicants	:	Shri Pushkar Sinha, Advocate
For the State	:	Shri S.K. Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**15/11/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.08/2018 registered at Police Station AJAK, Baikunthpur, District Koriya (C.G.) for the offence punishable under Sections 354, 354(A), 354(B), 294, 323, 34 of IPC and 3(1)(w), 3(५) (६) of SC & ST (Prevention of Atrocities) Act.
3. Case of the prosecution, in brief is that prosecutrix is aged about 25 years old. She is resident of village Sonari Khalpara. On 20/09/2018 at about 8 p.m. she was returning back to her house after Ganesh immersion, applicants, co-accused Sanjay Pando and Lale Pando met her in drunken condition. Applicant No.1 Gorelal Yadav had caught hold her hand, as a result of which her clothes torn, applicant No. 2 Ramnarayan Patel was pulled her hair, co-accused Sanjay Pando and Lale Pando abused her and threatened to kill.
4. Counsel for the applicants submits that they have innocent and falsely implicated in the present case, therefore, they shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He

further submits that no criminal antecedents against them.

6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is ordered that if each of the applicants furnishes two solvent sureties for a sum of Rs. 25,000/- each along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with a condition that they will not commit any offence in future, they be released on bail..
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde