

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9441 of 2018

1. Smt. Shahida Bano W/o Bakar Khan Aged About 48 Years R/o Gaji Nagar, Birgaon, P.S. Urla, Tahsil And District Raipur, Chhattisgarh
2. Smt. Shabnam Bano @ Nashima W/o Shahid Khan Aged About 32 Years R/o Gaji Nagar, Birgaon, P.S. Urla, Tahsil And District Raipur, Chhattisgarh
3. Smt. Reshma Bano W/o Shabir Ali Aged About 20 Years R/o Gaji Nagar, Birgaon, P.S. Urla, Tahsil And District Raipur, Chhattisgarh
4. Bakar Khan S/o Garib Khan Aged About 50 Years R/o Gaji Nagar, Birgaon, P.S. Urla, Tahsil And District Raipur, Chhattisgarh
5. Shafat Ali S/o Wajid Ali Aged About 20 Years R/o Gaji Nagar, Birgaon, P.S. Urla, Tahsil And District Raipur, Chhattisgarh

---- Applicants

Versus

- State of Chhattisgarh Through The Police Station Urla, District Raipur, Chhattisgarh

---- Non-applicant

For Applicants	:	Mr. Ishan Verma, Advocate
For Respondent/State	:	Mr. Anil Pillai, Dy. AG

Hon'ble Smt. Justice Vimla Singh Kapoor

Order On Board

17/12/2018

1. The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of bail as they are in custody since 24.09.2018 in connection with Crime No. 371/2018 registered at Police Station Urla, District Raipur (C.G.) for the offence punishable under Sections 342, 365, 354, 323, 147, 148, 149, 376 and 511 IPC.
2. As per the prosecution case, on 22.09.2018 when the prosecutrix was pursuing the search operation of her grandmother, the accused/applicant took her inside, made captive with a sole intention of outraging her modesty. On being search by her

relatives, she wriggled out of the captivity and informed about her subjection to beating.

3. Counsel for the applicants submit that the applicants have been falsely implicated in the case and he is languishing in jail since 24.09.2018, that the charge-sheet has already been filed and looking to the allegation so made, the applicants are entitled for release on bail.
4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case and looking to the offence alleged, without further commenting on merits of the case, this Court is of the opinion that it is a fit case to release them on bail.
7. Accordingly, the application is allowed and the accused/applicants are directed to be released on bail on each of them furnishing a personal bond of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court for their appearance before it as and when directed.

CC as per rules.

Sd/-

(Vimla Singh Kapoor)
V. Judge