

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 458 of 2019**

1. Johan Banjare S/o Late Shri Kislal Banjare Aged About 35 Years R/o Village Lakholi, P.S. Arang, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Mohan Banjare S/o Late Shri Kishal Banjare Aged About 37 Years R/o Village Lakholi, P.S. Arang, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh Through P.S.- Arang, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Devershi Thakur and Shri J.K. Gupta, Advocates
For the State	:	Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****06/02/2019**

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.592/2018 registered at Police Station Arang, District Raipur (C.G.) for the offence punishable under Section 354, 451, 294, 323, 34 of IPC.
3. Case of the prosecution, in brief is that on 04/12/2018 one prosecutrix was 17 years of age and another prosecutrix was about 15 years of age. Both are resident of village Lakholi. On 04/12/2018 about 5.30 p.m. applicants entered in the house of prosecutrix, abused them, made sexual coloured remarks, used criminal force on them to outrage their modesty.
4. Learned counsel for the applicants submits that they are 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 the applicants.

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 directed that if the applicants furnish 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 the condition that they will not involve themselves in such type of crime in future, they shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde