

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 585 of 2019

- Doman Dhritlahare S/o Kaliram Dhritlahare Aged About 27 Years
R/o Village Dhursa, Post Office And Police Station Panduka
District Gariyaband Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Panduka District Gariyaband Chhattisgarh

---- Respondent

AND

MCRC No. 632 of 2019

1. Meghraj Gaikwad S/o Chandrika Prasad Gaiyakwad Aged About
19 Years R/o Village Dhursa, Post Office And Police Station
Panduka, District Gariyaband Chhattisgarh.
2. Ghansyam Gaikwad S/o Komalram Gaikwad Aged About 19
Years R/o Village Dhursa, Post Office And Police Station
Panduka, District Gariyaband Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Panduka, District Gariyaband Chhattisgarh.

---- Respondent

For Applicant(In MCRC No. 585/2019) : Mr. Shivendu Pandya,
Advocate.

For Applicants (In MCRC No. 632/2019): Mr. Shivendu Pandya,
Advocate.

For Respondent/State : Mrs. Smita Ghai, PL.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/02/2019

1. Since, both the cases arise out of same crime number, therefore, they are being disposed of by this common order.
2. The applicants have preferred these first bail applications under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with Crime no. 05/2019, registered at Police Station Panduka, District Gariyaband (C.G.) for the offence punishable under Sections 341, 354(D)(i)/34 of the IPC and Section 8 of the POCSO Act, 2012.
3. In this case prosecutrix is a girl aged about 15 years. As per prosecution story, father of the prosecutrix lodged a report in police station, wherein, it has been alleged that on 03.01.2018 at about 9:30 AM, when prosecutrix was going to the school with her friends, then the applicants followed her and tried to outrage the modesty of the prosecutrix. On the basis of said report, offence has been registered. The applicants are in custody since 04.01.2019.
4. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that the applicants are in custody since 04.01.2019, charge-sheet has already filed and trial will take some time, therefore, they may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
6. I have heard learned Counsel for both the parties.
7. Considering the facts and circumstances of the case and

evidence collected by the prosecution, further considering the fact that the applicants are in custody since 04.01.2019, charge-sheet has already filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.

8. Accordingly, the bail applications are allowed.
9. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one local solvent surety for the like sum to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge