

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 618 of 2019**

1. Ramprasad Kenwat. S/o Mayaram Kenwat Aged About 35 Years R/o Kothari, Police Station Urga, District Korba Chhattisgarh
 2. Shivprasad Kenwat S/o Mayaram Kenwat Aged About 31 Years R/o Kothari, Police Station Urga, District Korba Chhattisgarh
- Applicants**
- Versus**
- State Of Chhattisgarh Through The Station House Officer, Police Station A. J. K. Korba District Korba Chhattisgarh
- Respondent**

For applicants	Mr. Dharmesh Shrivastava, Adv.
For non-applicant/State	Mr. Ashutosh Pandey, Panel Lawyer.

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

13-2-2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and their no bail application is pending before any other court.
2. The applicants have been arrested in connection with Crime No. 1/2018 registered in police station AJAK, Korba. Distt. Korba (CG) for offence punishable under Section 456, 354-A, 323, 34 of IPC, Section 3(1)(r)(s)(w) of SCST Act.
3. Prosecution story in brief is that prosecution is aged about 29 years, she is a resident of village Kothari and a member of scheduled caste. On 21-11-2017, at about 10 am, the prosecutrix was sleeping in her house. The applicants entered into her house. Applicant No. 2 Shivprasad Kenwat pressed her mouth and beat her. Applicant No. 1 Ramprasad tore her clothes including her undergarments and abused her.
4. Counsel for the applicants argued that the applicants are innocent and have been falsely implicated hence they be released on bail.
5. On the other hand, the State Counsel opposed the bail application. He further submits that no criminal antecedent has been reported against applicants in the police case diary.
6. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if each of the applicants furnishes two solvent sureties each for a sum of Rs. 25,000/- 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 himself in any of the crime in future, they be released on bail.
7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge