

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 942 of 2019

- Amar Kurre S/o Leelaram Kurre Aged About 21 Years R/o Jalampur, Dhamtari, District- Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- City Kotwali, Dhamtari, District- Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Non-applicant

AndMCRC No. 1184 of 2019

- Mohit @ Monulal Sahu S/o Premlal Sahu Aged About 21 Years R/o Village Baliyara, District And Tahsil Dhamtari Chhattisgarh, District : Dhamtari, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station City Kotwali, District Dhamtari Chhattisgarh, District : Dhamtari, Chhattisgarh

---- Non-applicant

For Applicants	: Shri Anil Gulati, Advocate.
For Non-applicant	: Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

20.02.2019

1. Since both the petitions arise from same crime No., these bail petitions are being disposed off simultaneously.
2. These are first bail applications under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
3. Perused the case diary provided by the learned counsel for the State in connection with crime No. 23/2019 registered at Police Station – City Kotwali, District Dhamtari (C.G.) for the offence punishable under Sections 363, 354, 294, 323, 506, 34 of the IPC.
4. Case of the prosecution, in brief is that prosecutrix is about 21 years of age. She is resident of village Baliyara. On 15.01.2019 at about 2:30 pm near Post Graduate College, Dhamtari prosecutrix was pulled in a van. Applicant Mohit @ Monulal Sahu and two other unknown persons were present inside the van. Driver / coaccused Dinesh started the van. Applicant Mohit @ Monulal Sahu beat her with hands, he also slept her. He abused her and gave threats to kill. He touched her breast. During the investigation prosecutrix identified applicant Amar Kurre.
5. Learned counsel for the applicants submits that applicants have no criminal background, they are innocent and have been falsely implicated in the present case, therefore, they shall be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicants.
7. Looking to these 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 applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE