

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2169 of 2019

1. Sukru Ram @ Sakru Ram S/o Bojram Aged About 25 Years R/o Village Chindbahar, Dulga Para, P.S. Lohandiguda, District - Bastar Chhattisgarh.
2. Torka Kashyap S/o Mada Ram Aged About 33 Years R/o Village Chindbahar, Dulga Para, P.S. Lohandiguda, District - Bastar Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Lohandiguda, District - Bastar Chhattisgarh.

---- Respondent

For Applicants	: Mr. Vikas A. Shrivastava, Advocate.
For Respondent/State	: Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

02/05/2019

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail, as they are arrested in connection with crime No. 69/2018, registered at Police Station Lohandiguda, District- Bastar (C.G.) for the offence punishable under Sections 354, 343, 365, 366, 190, 506 & 147 of the IPC.
2. In this case, there are total 12 accused persons. The age of the prosecutrix is about 21 years. As per prosecution story, on 22.10.2018 at about 9-10 PM, the applicants along with other co-

accused persons came to the house of brother of the prosecutrix namely Baman, they took the prosecutrix from there and taken her to the house of co-accused Sahdev. It is further alleged that there Sahdev done obscene act with her and also teased her. Thereafter, Sahdev took the prosecutrix to one of his relatives house. On 28.10.2018, the prosecutrix ran away from there. On 31.10.2018, the prosecutrix made a report. On the basis of her report, offence has been registered against the applicants. The applicants are in custody since 02.11.2018.

3. Learned Counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that co-accused persons namely Bal Singh, Budru Ram Kashyap, Motu Kashyap, Hadmo Ram, Nelu Ram, Bijo Ram and Lakhamu Mandavi have already granted benefit of bail by this Court vide order dated 03.04.2019. The case of the present applicants is also same, they are in custody since 02.11.2018, charge-sheet has already been filed and trial is likely to take some time. Therefore, the applicants may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicants are in custody 02.11.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.

7. Accordingly, the bail application is allowed.
8. 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 solvent surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge