

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1606 of 2019

1. Bal Singh S/o Manjhi Ram Aged About 30 Years R/o Village Chindbahar, Dulga Para P.S. Lohandiguda, Distt- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
2. Budru Ram Kashyap S/o Ramu Ram Kashyap Aged About 33 Years R/o Village Chindbahar, Dulga Para P.S. Lohandiguda, Distt- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through P.S. Lohandiguda, District- Bastar- Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Respondent

AND

MCRC No. 1961 of 2019

1. Motu Kashyap S/o Aaytu Kashyap Aged About 23 Years R/o Village Chindbahar Dulga Para P. S. Lohandiguda District Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
2. Hadmo Ram S/o Mudo Ram Dalga Aged About 34 Years R/o Village Chindbahar, Dulga Para P. S. Lohandiguda District Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through P. S. Lohandiguda District Bastar, Chhattisgarh.

---- Respondent

AND

MCRC No. 2001 of 2019

1. Nelu Ram S/o Kaingi Kashyap Aged About 22 Years R/o Village- Chindbahar, Dulga Para, Police Station- Lohandiguda, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
2. Bijo Ram Mandavi S/o Sanno Mandavi Aged About 28 Years R/o Village- Chindbahar, Dulga Para, Police Station- Lohandiguda, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
3. Lakhmu Mandavi S/o Sanno Mandavi Aged About 34 Years R/o Village- Chindbahar, Dulga Para, Police Station- Lohandiguda, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station- Lohandiguda, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Respondent

For Applicants(in MCRC NO. 1606/2019): Mr. Vikash Shrivastava,
Advocate.

For Applicants(in MCRC NO. 1961/2019): Mr. Vikash Shrivastava,
Advocate.

For Applicants(in MCRC NO. 2001/2019): Mr. Vikash Shrivastava,
Advocate.

For Respondent/State : Mr. Amit Singh, Panel
Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

03/04/2019

1. Since, all the above 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. 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.
3. In this case, 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 person and main accused Sahdev came to the house of brother of the prosecutrix namely Baman, they took the prosecutrix from there and taken her to Sahdev's house. 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.
4. 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 in this case the main accused is Sahdev who done the whole act. He further submits that the incident has been take place on 22.10.2018 and FIR has been lodged on 31.10.2018. The applicants 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.
5. Per contra, learned Counsel appearing on behalf of the State

opposes the bail applications.

6. I have heard learned Counsel for the parties and perused the case diary with due care.
7. 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.
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 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