

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2673 of 2019**

1. Sohan Patel, S/o Ramnath Patel, aged about 26 years.
 2. Sunil Patel, S/o Chatram Patel, aged about 23 years.
- Both are resident of village Changori Dhanpur, Police Station Akaltara, District Janjgir Champa (CG). **---- Applicants**

Versus

State of Chhattisgarh, Police Station Akaltara, through District Magistrate, Janjgir, District Janjgir Champa (CG). **---- Non-applicant**

For Applicants : Mr. Vivek Singhal, Advocate.
 For Non-applicant : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

01.05.2019

1. This is first bail application 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.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.103/2019 registered at Police Station Akaltara, District Janjgir Champa for the offence punishable under Sections 354/34 of IPC, Section 8 of POCSO Act & Section 3(1)(11) of SC& ST Act.
3. Case of the prosecution, in brief is that on 21.03.2019 the prosecutrix was aged about 15 years. She is resident of village Changori. She is a member of Scheduled Tribe. On 21.03.2019 at about 12:00 hrs at village Changori, the applicants came near to her, applicant Sohan Patel caught hold her hand and told that he will commit sexual intercourse with her and he will take her obscene photos and expose her photos on facebook.
4. Counsel for the applicants submits that the applicants have not committed any offence. They are innocent and have been falsely implicated in the present case, therefore, they may be released on bail.
5. On the other hand, counsel for the State opposes the bail application, however, he submits that no criminal antecedent is reported against the applicants in police case diary.
6. Looking to the above mentioned facts and circumstances of the case, the bail application is allowed. It is directed that if the applicants furnish two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs.50,000/- each to the satisfaction of the concerned Trial Court with the condition that they shall appear before the Trial Court at 11:00 am as and when directed till trial and they would co-operate during the trial, they shall be released on bail and they shall not involve any such type of crime in future.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-