

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2684 of 2019

1. Birendra Sahu, S/o Shiv Narayan Sahu, Aged About 40 Years, R/o Village-Barampur, Police-Station-Khadgawan, District-Koriya Chhattisgarh.
2. Shiv Bahoran Sahu, S/o Durjan Sahu, Aged About 61 Years, R/o Village-Barampur, Police-Station-Khadgawan, District-Koriya Chhattisgarh.
3. Smt. Krishna Devi, W/o Shiv Narayan Sahu, Aged About 55 Years, R/o Village-Barampur, Police-Station-Khadgawan, District-Koriya Chhattisgarh.
4. Smt. Asha Devi, W/o Ram Jiyawan Sahu, Aged About 26 Years, R/o Village-Barampur, Police-Station-Khadgawan, District-Koriya Chhattisgarh.

---- Applicants

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Khadgawan, District-Koriya, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Aditya Chopda, Advocate.
For Respondent/State	:	Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

12/07/2019

1. Learned counsel for the applicants No.1 & 2 seeks permission of this Court to withdraw this instant bail application filed under Section 439 of Cr.P.C.
2. It is ordered as prayed for.

3. Accordingly, the bail application of applicant No.1 & 2 filed under Section 439 of Cr.P.C is dismissed as withdrawn.
4. This is the first bail application of applicants No.3 & 4 filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.192/2018 registered at Police Station– Khadgawan, District– Koriya(C.G.) for the offence punishable under Sections 452, 307, 324/34 of the Indian Penal Code.
5. Learned counsel for the applicants submits that applicants No.3 & 4 are innocent and have been falsely implicated in this case. No case is made out against these applicants. Applicants are women, hence, it is prayed that they may be released on regular bail.
6. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that the prosecutrix has been very brutally beaten by these applicants along with co-accused persons intending to cause her death, therefore, application be rejected.
7. Heard both the parties and perused the case diary.
8. According to the FIR lodged, on 19.12.2018 at about 10 pm.. in the night these applicants along with co-accused persons committed the house trespass in the house of the victim, who is also a prosecutrix in another case, and then were pressuring her to compromise in the rape case. When she did not agree, she was assaulted by use of sharp edged weapon and clubs because of which she has suffered severe injuries.
9. Considered on the entire material present in the case diary, it appears that the co-accused are the main assailants in this case and these applicants are the women, therefore, I feel inclined to allow the

application of applicants No.3 & 4.

10. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants No.3 & 4 shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha