

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 4908 of 2019

1. Kanshilal Sori S/o Parau Ram Sori Aged About 25 Years
2. Shivilal Sori S/o Ram Sori Aged About 35 Years
(Both are r/o Village Palari Khar, Police Station Nagri, District Dhamtari Chhattisgarh)

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Nagri, District Dhamtari Chhattisgarh

---- Non-applicant

For Applicants	: Mr. Shobhit Koshta, Advocate.
For Non-applicant/State	: Mr. Shrikant Kaushik, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27-08-2019

Heard.

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicants for grant of regular bail. The applicant No.1 has been arrested on 27.03.2019 and applicant No.2 has been arrested on 21.05.2019 in connection with Crime No. 39/2019, registered at Police Station– Nagri, District- Dhamtari, C.G. for offence punishable under Sections 456, 354 r/w Section 34 of Indian Penal Code and Section 8 of POCSO Act.
2. It is submitted by learned counsel for the applicants that there is no allegation made by the victim of this case against these applicants for outraging her modesty. Charge-sheet has been filed after completion of investigation. Therefore, it is prayed that these applicants may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, the co-accused- Sohan Salam, with intention to outrage the modesty of the victim, hold her hands, tore her cloths and also used physical force in an objectionable manner. It is alleged that these applicants assisted him in commission of this offence. Hence, this case.
6. Considering that the case is now pending for trial, therefore, no purpose would be served keeping these applicants in detention during trial. Therefore, I feel inclined to allow this application.
7. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Monika