

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5237 of 2019

1. Saheb Rikhasan S/o Dhana Rikhasan Aged About 59 Years R/o Village Bhala, Mahura Police Chowki Vijaynagar, Police Station Ramanujganj, District - Balrampur - Ramanujganj Chhattisgarh.
2. Rannu Alias Gyanchand Rikhasan Aged About 45 Years R/o Village Bhala, Mahura Police Chowki Vijaynagar, Police Station Ramanujganj, District - Balrampur - Ramanujganj Chhattisgarh.,

----Applicants

Versus

- State Of Chhattisgarh Through The Police Station Ramanujganj, District Balrampur Ramanujganj Chhattisgarh.

---- Respondent

For Applicants	: Shri V.K.Pandey, Advocate
For Respondent /State	: Smt.Reena Singh, PL
For Complainant/Objector	: None present though served.

Hon'ble Smt. Justice Rajani Dubey

Order On Board

28/11/2019

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 59/2019 registered at police station Ramanujganj, district Balrampur Ramanujganj (CG) for the offence punishable under Sections 363,366 and 376(2)(g) IPC and Sections 5 & 6 of the Protection of Children from Sexual Offences Act.

As per case of the prosecution, co-accused Akhilesh Bhuiya went to the house of the prosecutrix, enticed her on the pretext of marriage. It is further alleged that the present applicants helped the co-

accused and the prosecutrix lived with Akhilesh for about 10-15 days in his house. Thereafter, when they were leaving for Gujarat, on the way, were caught by the police.

Counsel for the applicants submits that the applicants have been falsely implicated and that they have only helped the co-accused Akhilesh. It is further submitted that the main allegation is against the co-accused; the charge sheet has already been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion. It is also submitted that the applicants are in jail since 05.06.19.

None appeared for the complainant though notice has been served.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants' furnishing a personal bond of Rs. 25,000/- each with one surety in the like sum to the satisfaction of the concerned court for their appearance before it as and when directed, they shall be released on bail.

Sd/-

(Rajani Dubey)
Judge