

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 5222 of 2019

- Kaushal Kumar Kaiwart S/o Panchram Kaiwart Aged About 24 Years R/o Village Tendua, Junapara, Police Station- Kota, District Bilaspur Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Takhatpur, District Bilaspur Chhattisgarh

---- Respondent

M.Cr.C. No. 5357 of 2019

- Arun Kumar Nirmalkar S/o Shri Parmendra Nirmalkar Aged About 20 Years R/o Kargikhurd, Police Station Kota, District Bilaspur Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Takhatpur, District Bilaspur Chhattisgarh

---- Respondent

For Applicants	: Mr. Amit Kumar and Mr. Achyut Tiwari, Advocates.
For Non-applicant/State	: Mr. Sanjay Pathak, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

20-09-2019

Heard.

1. As both these applications arise out of the same crime numbers i.e. Crime No.220/2019 registered at P.S. Takhatpur, District- Bilaspur (C.G.), who have been arrested for the offence Under Sections 341, 354, 323, 34 of I.P.C. and Section 8 of POCSO Act, 2012, they are being decided by this common order.
2. It is submitted by learned counsel for applicants that no offence has

been committed by these applicants and the applicants are in jail since 12.07.2019, however, they have not committed any offence. Therefore, it is prayed that they may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that investigation is pending, therefore, the applications may be rejected.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, on the date of incident, when the victim was going to her matrimonial home with her would be husband, it is alleged that both these applicants stopped both of them and then outraged the modesty of the victim and also assaulted her would be husband and caused injuries to him. Hence, this case.
6. Considering that there is no purpose of keeping both the applicants in detention and the investigation is nearly going to complete, therefore, I feel inclined to allow this application.
7. Consequently, these applications 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.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge