

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5283 of 2019

1. Rahul Paikara S/o Jugan Singh Paikra, Aged About 19 Years, R/o. Village- Jogisar, Thana- Gaurela, Tehsil Pendraroad, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Rajkumar S/o Heeralal, Aged About 28 Years, R/o. Village- Jogisar, Thana- Gaurela, Tehsil Pendraroad, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicants

Versus

- State of Chhattisgarh Through Police Station Gaurela, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

----Non-applicant

For Applicants – Shri Samir Singh, Advocate.

For Non-applicant/State – Shri Neeraj Pradhan, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

20-09-2019

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 applicants have been arrested on 24-07-2019 in connection with Crime No.195/2019 registered at P.S. - Gaurela, District Bilaspur, Chhattisgarh for the offence under Section 354 A/34 of the IPC and 8 of Protection of Children from Sexual Offences Act, 2012.

2. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. They are in jail since 24-07-2019. These applicants have not committed any offence. Therefore, it is prayed that the application may be allowed.

3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the case diary.

5. The FIR has been lodged by the victim that on the date and time of the incident both these applicants caught hold of her hand and dragged her to a

place and then by using physical force outraged her modesty.

6. Considering that there is no further requirement of keeping the applicants in continuous detention and the investigation is nearly going to complete, 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 each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety 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