

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5574 of 2019

- Praveen Banjare S/o Hemant Banjare Aged About 23 Years R/o Pounsari, P. S. Nandghat, Tahsil And District Bemetara Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bemetara, District Bemetara Chhattisgarh.

---- Respondent

MCRC No. 5613 of 2019

- Harchand S/o Aagarchand Sonwani Aged About 33 Years R/o Village Pausari, Thana - Nandghat, Tehsil And District - Bemetara Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Bemetara, District Bemetara Chhattisgarh.

---- Respondent

For Applicants : Mr. Vivek Singhal And Ms. Supriya Upasane,
Advocate.
For Respondents/State : Mr. Wasim Miyan, PL.

Hon'ble Smt. Justice Rajani Dubey
Order On Board

06/11/2019

1. Since both the petitions (MCRC Nos. 5574/2019 & 5613/2019) arise out of the same Crime No.(334/2019), they are being disposed of by this common order.
2. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 334/2019 registered at Police Station –

Bemetara District Bemetara (C.G.) for the offence punishable under Sections 354/34 of IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

3. According to the prosecution story, on 27.06.2019 at about 7.00 PM at village Baba Mohtar, thana- Bemetara near the house of the prosecutrix, three persons came on bike and tried to outrage the modesty of the minor prosecutrix. Thereafter, police has arrested the applicants and registered the crime against them.
4. Learned counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the case. They are in jail since 16.07.2019. They have no previous antecedent and trial will take some time, therefore, they may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, the detention period of the applicants and further considering the fact that the applicants are in jail since 16.07.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the applicants shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- each, with one solvent surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Rajani Dubey)
Judge