

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5671 of 2019**

1. Lallu Yadav @ Lalit Yadav, aged about 22 years, S/o Makhanlal Yadav
2. Sanjay Yadav, aged about 18 years, S/o Bhekhram Yadav, both R/o village Chuiha Malgajari, P.S. - City Kotwali, Baloda - Bazar, District Baloda Bazar, Bhatapara (C.G.)

---- Applicants**Versus**

- State Of Chhattisgarh Through : Station House Officer, Police Station - City Kotwali, District Baloda Bazar - Bhatapara (C.G.).

---- Respondent

For Applicants	:	Shri Hemant Gupta, Advocate
For Respondent	:	Ms. Reena Singh, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****07/11/2019**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.437/2019, registered at Police Station - City Kotwali, Revenu and Civil District Baloda Bazar - Bhatapara (C.G.) for the offence punishable under Sections 354, 294, 506, 323/34 IPC, Section 17 of POCSO Act and Sections 3 (2) (v-a) of SC/ST Act.
2. The prosecution story, in brief, is that the applicants used to molest the prosecutrix wherever they saw her. On 01.08.2019 at about 8.00 am, when prosecutrix was going to grocery shop for purchasing some articles, the applicant with intent to flirt, caught hold of her hands and tried to outrage her modesty. On being objected, the applicants assaulted her. Based on this, offence has been registered. Present

applicants have been taken into custody on 08.08.2019.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the applicants have been beaten by the prosecutrix along with her mother and six other persons as a result of which applicants sustained injuries. He also submits that the present applicants are in custody since 08.08.2019, charge sheet has not been filed and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicants are in custody since 08.08.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on their 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