

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.6749 of 2018**

1. Setlal Baghel S/o Baichand Baghel Aged About 18 Years Resident At Village Badedevara Maikigudapara Police Station Karpawand District Bastar Chhattisgarh ., District : Bastar(Jagdalpur), Chhattisgarh
2. Thabbir Soni S/o Baleshwar Aged About 18 Years R/o Village Jaitgiri Police Station Karpawand District Bastar Chhattisgarh ., District : Bastar(Jagdalpur), Chhattisgarh
3. Dhanurjay Soni S/o Vishmbhar Soni Aged About 23 Years R/o Village Saitpur Barpaguda Para Police Station Karpawand District Bastar Chhattisgarh .

---- Applicants**Versus**

- State Of Chhattisgarh Through The Police Station Bhanpuri District Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Respondent**MCRC No. 7378 of 2018**

- Umesh Baghel S/o Late Lakhiram Aged About 30 Years R/o Village- Jaitgiri, Gokharpara, Police Station- Bakawand, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station- Bhanpuri, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Respondent

For Applicants	:	Shri Vikash Shrivastava, Advocate
For State	:	Shri Subhash Yadav, Dy.GA

Single Bench : Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****01/03/2019**

Heard.

2. The aforesaid two bail applications (MCRC Nos.6749 & 7378 of 2018) are being decided by a common order as both bail application arises out of the same crime number.
3. The applicants in the aforesaid two bail applications have moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.165/2017 registered at Police Station Bhanpuri, District Bastar for the offence punishable under Section 376(d) & 342 of IPC.
4. Learned counsel for the applicants would argue that even though, the prosecutrix had alleged regarding commission of offence in examination-in-chief, but in her cross-examination, she has admitted that she had gone along with the accused to *Mela* voluntarily and not under any pressure, which clearly shows that whatever was done to her in *Mela* was according to her consent.
5. On the other hand, learned State counsel submits that in this case, the trial is almost over.
6. Without commenting upon the merits of the evidence on record, at this stage, I am not inclined to grant bail to the applicants.
7. Accordingly, the aforesaid two bail applications (MCRC Nos.6749 & 7378 of 2018) are rejected. However, the trial Court shall conclude the trial expeditiously.

SD/-
(**Manindra Mohan Shrivastava**)
JUDGE