

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6327 of 2019

1. Amit Shukla, S/o Late Rajnikant Shukla, Aged About 32 Years, Caste Brahmin, R/o Kushalpur, Adarshnagar Raipur, District : Raipur, Chhattisgarh
2. Modmani Verma @ Pintu, S/o Late Gendlal Verma, Aged About 42 Years, Malsay Talab Kushalpur, Adarsh Nagar Raipur, District : Raipur, Chhattisgarh

---- Applicants

Versus

- State of Chhattisgarh, Through The Station House Officer, Police Station Narharpur, District Kanker, Chhattisgarh

---- Non-applicant

For Applicants	: Mr. Sandeep Yadav, Advocate.
For Non-applicant/State	: Mr. C.B. Kesharwani, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

21-10-2019

1. This is an repeat bail application filed by the applicants under Section 439 of the Cr.P.C. Earlier, the application MCRC No. 5186 of 2019 was dismissed as withdrawn on 06.09.2019. The applicants have been arrested on 06.09.2019 in connection with Crime No.69/2019, registered at Police Station– Narharpur, District- Kanker, Chhattisgarh for offence punishable under Sections 294, 323, 324, 354, 452/34 of I.P.C.
2. It is submitted by learned counsel for the applicant that the applicants are innocent and have been falsely implicated in the present case. The charge-sheet has been filed, after completion of investigation. The applicants are in jail since about three months, therefore, it is prayed that the application be allowed.
3. Learned counsel for the State/non-applicant opposes the application and submits that there is material evidence present against the applicant. Therefore, prayed that application be rejected.

4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, these applicants along with other co-accused person with intent to outrage the modesty of the prosecutrix had disrobed her. Hence, this case.
6. Considering that the investigation is now complete and the trial against these applicants are likely to take some time, 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 their furnishing a personal bond in the sum of Rs.25,000/- to each 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.

yasmin

Sd/-
(Rajendra Chandra Singh Samant)
Judge