

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6474 of 2019

1. Bharat Singh & Ors. S/o Sapuran Singh Agariya Aged About 32 Years R/o Bhadakchar, Police Station Paali, District Korba Chhattisgarh.
2. Smt. Kumari Bai W/o Shri Bharat Singh Agariya Aged About 28 Years R/o Bhadakchar, Police Station Paali, District Korba Chhattisgarh
3. Ramesh Kumar S/o Bandhan Singh Agariya Aged About 22 Years R/o Bhadakchar, Police Station Paali, District Korba Chhattisgarh.
4. Suresh Kumar S/o Bandhram Agariya Aged About 23 Years R/o Bhadakchar, Police Station Paali, District Korba Chhattisgarh.,
5. Rameshwar Prasad S/o Late Jaharuram Patel Aged About 42 Years R/o Chindpani (Bhadrapara) Police Station Paali, District Korba Chhattisgarh.
6. Smt. Rahda Bai W/o Vishal Singh Agariya Aged About 40 Years R/o Bhadakchar, Police Station Paali, District Korba Chhattisgarh.

---- Applicants

Versus

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

---- Respondent

For Applicants	: Shri Soumitra Kesarwani, Advocate
For Respondent/State	: Shri B.L.Sahu, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

28/11/2019

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in

custody in connection with Crime No. 177/2019 registered at police station Paali, district Korba (CG) for the offence punishable under Sections 294,323,342,506,384 and 306/34 IPC.

As per case of the prosecution, on 26.08.19, at noon, when the applicant No.2 was going to the field of Itwar Singh, deceased has tried to sexually assault her. Thereafter, on 07.09.19, when the applicant No.2 along with her husband went to the market, she saw the deceased and informed her husband about him. It is further alleged that on hearing about the incident, applicant forcefully dragged him in his motorcycle to the village, panchayat was convened and it was decided that he has to pay Rs. 50,000/- and feeling insulted, he committed suicide.

Counsel for the applicants submits that the applicants have been falsely implicated and that the applicants have only informed the village panchayat. It is further submitted that the charge sheet has already been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion. It is also submitted that the applicants are in jail since 13.09.19.

On the other hand, learned counsel for the State opposes the bail applications.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure are allowed.

It is directed that in the event of the applicants' furnishing a personal bond of Rs. 25,000/- each with one surety in the like sum to

the satisfaction of the concerned court for their appearance before it
as and when directed, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge

suguna