

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6680 of 2019

- Altaf Khan And Ors. S/o Umar Khan Aged About 32 Years
- Ramin Khan S/o Late Safi Khan Aged About 30 Years
- Vilas S/o Sikhu Nageshiya Aged About 27 Years

All R/o Village Dumardih, Police Station Dhourpur, District Surguja, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Dhourpur (Wrongly Mentioned As Ambikapur In The Impugned Order), District Surguja, Chhattisgarh.

---- Respondent

For Applicants	: Shri V.K.Pandey, Advocate
For Respondent /State	: Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/12/2019

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.58/2019 registered at police station Dhourpur, District Surguja (CG) for the offence punishable under Sections 363,366 and 354/34 IPC read with Sections 7 & 8 of the Protection of Children from Sexual Offences Act.

As per prosecution case, on 09.09.2019, report was lodged by the prosecutrix alleging that a day before thereto, when she was going

to watch the orchestra along with her friends, applicants came in a four wheeler stopped them and forcefully dragged them inside the vehicle. It is further case of the prosecution that friend of the prosecutrix raised protest and jumped out of the window and thereafter the applicants dropped her.

Counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. He submits that the applicants are in jail since 10.09.19 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion and therefore they may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, 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 is allowed.

It is directed that in the event of the applicants' furnishing a personal bond in the sum of Rs.25,000/- each with one surety for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge