

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6984 of 2019

1. Suraj Divakar Anr. S/o Munna Divakar Aged About 23 Years R/o Bagichapara Ameri, Police Station Sakri, District Bilaspur, Chhattisgarh.
2. Manoj Kumar Banjare S/o Sahukar Banjare Aged About 20 Years R/o Jarhabhatha Mini Basti, Near Of Mangal Bhavan, Police Station Civil Line Bilaspur, District Bilaspur, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Koni, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicants	: Shri L.K.Ramteke, Advocate
For Respondent /State	: Shri Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

16/12/2019

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.226/2019 registered at police station Koni, District Bilaspur (CG) for the offence punishable under Sections 363,365,354,506,34 IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

As per prosecution case, the applicants have abducted the prosecutrix with a bad intention of secretly and wrongfully confining her to commit physical exploitation by the main accused.

Counsel for the applicants submits that the applicants are innocent and they have been falsely implicated. He further submits that the allegation is against the main accused who has already been granted by the trial court. He submits that the applicants are in jail since 10.08.19; the charge sheet has been filed 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, learned counsel for the State opposes the bail application.

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 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 of Rs. 25,000/- each with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, they shall be released on bail.

Sd/-

(Rajani Dubey)
Judge