

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9215 of 2018**

1. Haricharan Gabel S/o Ramesh Gabel Aged About 24 Years R/o Village- Bhainapara, Tahsil and Police Station- Kharsiya, District- Raigarh, Chhattisgarh.
2. Bhagwat Prasad S/o Natam Prasad Patel Aged About 42 Years R/o Village- Bhainapara, Tahsil and Police Station- Kharsiya, District- Raigarh, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station- Kharsiya, District- Raigarh, Chhattisgarh.

---- Respondent

For Applicant	: Shri Vaibhav A. Goverdhan, Advocate.
For Respondent/State	: Shri K.K. Dewangan, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**08/01/2019**

1. The Applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 642/2018, registered at Police Station – Kharsiya, District- Raigarh, (C.G.) for the offence punishable under Sections 294, 506, 354, 354 (क) (ख), 186, 353, 332, 477, 34 of IPC and U/s 3 (1) (11) of SC & ST (Prevention of Atrocities) Act, 1989.
2. As per the prosecution story, on 29.09.2018, at about 10:00 am, as per the instruction of the State Government, communicated by village Kotwar, all the villagers were gathered in the Panchayat Bhawan alongwith their Rin-Pustika and Aadhar-Card, for their Krishak-Khata registration. Allegedly at about 11:30 AM, when the Complainant namely Meena Sidar, Halka Patwari was doing her official work at Panchayat Bhawan, both the present Applicants came there and

abused her and tried to outrage her modesty. They also assaulted and threatened her. Thereafter, the matter was reported by complainant Meena Sidar. On the basis of said report, offence has been registered against the present Applicants.

3. Learned Counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the case. He further states that when Halka Patwari (Complainant) arrived late, she informed the villagers that they must come with B-1 and map, and only on that issue some hot talk exchanged. Thereafter, false report has been made against the present Applicants. He also submits that charge-sheet has already been filed. The applicants are in custody since 30.09.2018 and trial will take time. Therefore, they may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicants are in custody since 30.09.2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge