

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 511 of 2020**

- Heera Lal Prajapati S/o Late Dhanua Kumhar Aged About 40 Years R/o Village Bahrasi P. S. Janakpur District Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh
- Prem S/o Dauwa Aged About 40 Years R/o Village Chidola, P. S. Janakpur District Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, P. S. Janakpur District Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- Respondent

For Applicants	:	Shri Shakti Raj Sinha, Advocate.
For Respondent	:	Shri B.L. Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09.03.2020**

1. The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.26/2019 registered at Police Station – Janakpuri, District Koriya (C.G.) for the offence punishable under Sections 376, 450, 506, 34 of the IPC.
2. It is the case of the prosecution that the applicants trespassed the house of the prosecutrix and tried to outrage her modesty. Applicant Heeralal grabbed the prosecutrix and inserted one finger into her private part while applicant Prem continued to be in the company, on which, a report was lodged against the applicants.

3. Learned counsel for the applicant submits that the applicants have not committed any offence and they have been falsely implicated in the crime as there is a civil dispute between the applicants and the family members of the prosecutrix. He further submits that as the applicants are in custody since December, 2019 and the trial is likely to take some time for its final disposal, they may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular, the nature of allegations against the applicants and the detention period, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.
7. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge