

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 462 of 2020

- Tausif Ansari S/o Late Ali Mohammad Aged About 22 Years R/o Village Karkali, Police Station Kusmi, District Balrampur Ramanujanj Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Pasta, District Balrampur Ramanujanj Chhattisgarh.

---- Respondent

MCRC No. 858 of 2020

- Sanjeeta Bada W/o- Late Manoj Bada Aged About 35 Years
- Santosh Bada S/o- Late Janmrius Bada Aged About 35 Years

Both R/o- Parhi, Kena Toli, Police Station- Mahuadand, District- Latehar, Jharkhand., District : Latehar, Jharkhand

---- Applicants

Versus

- State Of Chhattisgarh Through- Out-Post- Daura, Police Station- Pasta, District- Balrampur-Ramanujanj, Chhattisgarh.

---- Respondent

For Applicants	: Shri S.D.Singh, Advocate and Shri Pushkar Sinha, Advocate
For Respondent/State	: Shri B.L.Sahu, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

03/03/2020

As both these M.Cr.Cs. arise out of the same crime number,

they are being disposed of by this common order.

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.09/2019 registered at police station Pasta, Balrampur, district Ramanujganj (CG) for the offence punishable under Sections 363,368, 344,370(4) and 374 IPC and Section 3(2)(v) of the SC/ST (Prevention of Atrocities) Act.

As per prosecution case, the applicants along with co-accused have abducted the prosecutrix from her lawful guardianship and detained her for about 10 days. It is alleged that she was later on recovered from the custody of the applicant.

Contention of counsel for the applicants is that they have been falsely implicated in the case. He further submits that the prosecutrix has not supported the prosecution case and has turned hostile before the trial court. He submits that the applicants are in jail since 30.03.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State as well as father of the prosecutrix opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of allegation and 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. 50,000/- with one local surety for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge

suguna