

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 806 of 2020**

1. Shambhu Sahu, aged 25 years,
2. Ashok Sahu, aged 32 years, both are S/o Ghanshyam Sahu.
3. Dhaniram Sahu, 43 years, S/o Radhelal Sahu.

All are residents of Leelapur, Outpost – Chilfi, P.S. Lormi, District Mungeli.

---- Applicants**Versus**

- State Of Chhattisgarh Through- The Police of Outpost – Chilfi, P.S. Lormi, District Mungeli.

---- Respondent

For Applicants	:	Shri Pallav Mishra, Advocate
For Respondent	:	Shri Wasim Miyan , P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****17/03/2020**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.166/2019, registered at Police Station – Lormi, District Mungeli (C.G.) for the offence punishable under Sections 452, 354, 506, 294, 323,34 IPC and Sections 8 of POCSO Act.
2. The allegation against the present applicants is that main accused namely Mahendra Sahu entered the house of victim, caught hold of her hands and dragged her with intent to outrage her modesty. When victim made hue and cry and after having seen the brother of the victim, the main accused left the hands of the girl and ran away. The mother, her brother and herself went to the house of accused Mahendra Sahu for protest but the present applicants started abusing them and insulted them. Based on this, offence has been registered. The present applicants have been taken into

custody on 04.01.2020.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the main allegation is against co-accused Mahendra Sahu and the prosecution has failed to produce any independent document or witness that could reveal that the present applicants were involved in the said crime. He also submits that the applicants are in custody since 04.01.2020 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, in particular the nature of offence in respect of the present applicants and further considering the fact that the applicants are in custody since 04.01.2020 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- each 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, till the final disposal of the trial.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge