

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1832 of 2020

1. Tukaram Sahu, S/o Shri Shiv Kumar Sahu, Aged About 26 Years, R/o Village Tarra, P.S. Panduka, District- Gariaband (C.G.)
 2. Dhananjay Sahu, S/o Shri Heeruram Sahu, Aged About 25 Years, R/o Village Tarra, P.S. Panduka, District- Gariaband (C.G.)
- Applicants**

Versus

State of Chhattisgarh, through Police Station Panduka, District- Gariaband (C.G.)

--- Respondent

For Applicants	:	Mr. Pragalbha Sharma, Advocate.
For Respondent	:	Mr. Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

08/06/2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 11/2020, registered at Police Station- Panduka, District- Gariaband (C.G.) for the offence punishable under Sections 354, 294, 323, 506 & 34 of IPC and Section 10 of the Protection of Children From Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicants are in jail since 08.02.2020 and have been falsely implicated in this case. The charge-sheet has already been filed after completion of investigation. Hence, it is prayed that both the applicants be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the

bail application submitting that there are direct allegations against these applicants, therefore, they are not entitled for grant of bail. Hence, no case is made out for grant of regular bail to the applicants.

4. Heard counsel for both the parties and perused the records.
5. As per the facts of the case, on the date of incident, the minor victim was traveling in vehicle, at that time, the applicants made some nasty remarks and also outraged modesty of the victim physically. The investigation is now completed and the case is pending for trial, I am of the view that it would be proper to release the applicants on regular bail during the pendency of the trial, hence, I feel inclined to grant bail to the applicants in this case.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs. 25,000/- each with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Certified copy, as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge