

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3746 of 2020**

1. Akash Chouhan S/o Lalit Chouhan Aged About 18 Years R/o Village Patrapali (Kotarliya) Station Para, Police Station Chakradhar Nagar, Raigarh, Tahsil And District Raigarh Chhattisgarh
2. Suraj Chouhan S/o Lalit Chouhan Aged About 20 Years R/o Village Patrapali (Kotarliya) Station Para, Police Station Chakradhar Nagar, Raigarh, Tahsil And District Raigarh Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Kotra Road, Raigarh, District Raigarh Chhattisgarh

---- Respondent

For Applicants	Mr. Manoj Kumar Jaiswal, Advocate
For Respondent /State	Ms. Fouzia Mirza, Additional Advocate General

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****16/9/2020**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants, who have been arrested in connection with Crime No.9/2020 registered at Police Station Kotra Road, Raigarh, District Raigarh

(CG) for the offence punishable under Sections 363, 366, 376 of the IPC and Sections 4, 6 & 17 of the Protection of Children from Sexual Offences Act, 2012.

3. **Applicant No.1 Akash Chouhan** has committed rape with the prosecutrix, aged about 14 years, therefore, the bail application filed on his behalf is **dismissed** reserving liberty to revive the prayer after examination of the prosecutrix.
4. So far as **applicant No.2 Suraj Chouhan** is concerned, the only allegation against him is that applicant No.1 Akash Chouhan and the prosecutrix stayed in his house when the rape was committed. Even in respect of abduction, there is no allegation against applicant No.2.
5. Therefore, in the considered opinion of this Court, **applicant No.2 Suraj Chouhan** is entitled to be released on bail.
6. Accordingly, the bail application filed on behalf of **applicant No.2 Suraj Chouhan** is **allowed** and he is directed to be released on bail on his furnishing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

7. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

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