

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2779 of 2020**

Ram Prasad S/o Laalmn, aged about 50 years, Caste – Scheduled Caste,
R/o village Podidih, police station Khadgaon, District Korea, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through the Station House Officer, P.S. Ajaak,
Baikunthpur, District Korea, Chhattisgarh.

---- Respondent

For the Applicant : Shri Hariom Rai, Advocate.
For the Respondent/State : Shri Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****11.06.2020**

Heard.

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 applicant who has been arrested in connection with Crime No.31 of 2019, registered at Police Station – Ajaak, Baikunthpur, District – Korea, Chhattisgarh for the offence punishable under Sections 294, 323, 506, 354, 455 and 354 (kha) read with Section 34 of the Indian Penal Code, Section 8 of the Protection of Children from Sexual Offences Act, 2012 and Sections 3(2)(5)(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Learned counsel for the applicant submits that the applicant is in jail since 29.4.2020 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the

Court by the prosecution. Similarly placed co-accused – Ambikeshwar Singh @ Ambika Singh has been granted bail by the Co-ordinate Bench of this Court in M.Cr.C. No. 2674 of 2020 dated 15.5.2020. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. As per the case of the prosecution, on the date of incident, this applicant alongwith other co-accused persons committed the offence of house trespass in the house of the complainant and then abused, threatened and also outraged the modesty of the victim by using physical force.

6. Considering the fact that similarly placed co-accused – Ambikeshwar Singh @ Ambika Singh has been granted bail by the Co-ordinate Bench of this Court in M.Cr.C. No. 2674 of 2020 dated 15.5.2020, I feel inclined to grant bail to the applicant in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his 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.

Sd/-

(Rajendra Chandra Singh Samant)

Judge