

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2962 of 2020

- Harish Kumar Janghel S/o Deepak Janghel, Aged About 19 Years, R/o Village Padmawatipur, Police Station and Tahsil Chhuikhadan, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Chhuikhadan, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

----Non-applicant

For Applicant – Shri Abhishek Sharma, Advocate.

For Non-applicant/State – Shri Animesh Tiwari, Deputy A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

05-06-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 12-03-2020 in connection with Crime No.59/2020 registered at Police Station - Chhuikhadan, District Rajnandgaon, Chhattisgarh for the offence under Section 341, 354, 354(A)1(i), 354(A)1(ii), 294, 34 of the IPC and Section 11, 12 of the Protection of Children from Sexual Offences Act, 2012.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. No case is made out against him. He is in jail since 12-03-2020. One co-accused Girish Kumar Nishad has been granted bail by the coordinate Bench in MCRC No.2093/2020 by order dated 18-05-2020. Therefore, it is prayed that this applicant may also be granted bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that there is evidence present regarding participation of this applicant in commission of the offence. Therefore, he is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the documents.
5. According to the prosecution case, this applicant along with co-accused wrongfully restrained the minor victim on her path and then he along with co-accused outraged her modesty and also abused her. Hence, this case.
6. Considering that similarly placed co-accused has been granted bail by the coordinate Bench, therefore, on the ground of parity this applicant is also entitled for grant of bail.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge