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HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 3150 of 2020

1. Rupesh Das S/o Ramdas Aged About 19 Years R/o Village Karra, Thana Rajpur, District- Balrampur, Ramanujganj, Chhattisgarh
2. Umesh Kumar Korai S/o Buddhu Panika Aged About 25 Years R/o Village Karra, Aamapara Thana Rajpur, District- Balrampur Ramanujganj, Chhattisgarh
3. Rahul Bada S/o Suresh Bada Aged About 20 Years R/o Village Patrattu, Thana Rajpur, District- Balrampur Ramanujganj, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Police Station Rajpur, District- Balrampur Ramanujganj, Chhattisgarh.

---- Respondent

MCRC No. 3662 of 2020

1. Rupesh Das S/o Ramdas Aged About 19 Years Resident Of Village Karra, Thana Rajpur , District Balrampur Ramnujganj Chhattisgarh
2. Rahul Bada S/o Suresh Bada, Aged About 20 Years, Resident Of Village Patrattu, Thana Rajpur, District Balrampur Ramanujganj Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through, Police Station Rajpur , District Balrampur Ramanujganj Chhattisgarh.

---- Respondent

For Applicants
For Respondent /State

Mr. AK Yadav, Advocate
Ms. Fouzia Mirza, Additional
Advocate General

For Objector

Mr. AL Singraul, Advocate

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

1. Heard.
2. These are the two applications 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 Nos.33/2020 (MCRC No.3150 of 2020) and 34/2020 (MCRC No.3662 of 2020) respectively registered at Police Station Rajpur, District Balrampur Ramanujganj (CG) for the offence punishable under Sections 363, 366, 376 (D), 341, 342, 354 read with 34 of the IPC, Sections 3, 4, 7, 8 of the Protection of Children from Sexual Offences Act, 2012 and Section 3(2-v)(A), 3(2)(v), 3(1)(B) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
3. The accused persons abducted and molested one prosecutrix while the other prosecutrix was subjected to rape. Both the prosecutrix are aged about 13 years.
4. For the present applicants, it is argued that they were not

involved in committing rape. The said allegation is against accused Aman.

5. All the accused persons were together when the abduction took place and one of the prosecutrix was subjected to rape, therefore, no case for grant of bail is made out.
6. The bail applications are dismissed with liberty to the applicants to revive the prayer after examination of the prosecutrix.

Sd/-

(Prashant Kumar Mishra)

Judge

Shyna