

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3761 of 2020

1. Altaf Khan, S/o Shri Firoz Khan, Aged About 22 Years R/o Near Rajbandha Press, Rajbandha Maidan, Police Station - Maudhapara, District - Raipur Chhattisgarh.
2. Vikas Singh Rajput, S/o Shri Santosh Rajput, Aged About 22 Years R/o Badhaipara, Police Station Azaad Chowk, Raipur Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through - Police Station - Saraswati Nagar, District Raipur Chhattisgarh.

---- Respondent

For Applicants	: Shri Devershi Thakur and Shri J.K.Gupta, Advocates
For Respondent /State	: Ms. Sunita Jain GA
For Objector	: Shri Raja Ali, Advocate

Hon'ble Smt. Justice Rajani Dubey

Order On Board

27/08/2020

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 198/2019 registered at police station Saraswati Nagar, district Raipur CG for the offence punishable under Sections 363,366,328 and 376 IPC and Section 4 of POCSO Act.

As per prosecution case, the applicants along with the main accused Vikram Singh has committed rape on her after administering

some intoxicant and threatening her.

Counsel for the applicants submits that the applicants have been falsely implicated in the case. He further submits that there is no role of the applicants in the crime in question. He submits that the applicants are in jail since 12.12.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion, therefore they may be released on bail.

On the other hand counsel for the State as well as objector opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of allegation against the applicants, I am not inclined to release them on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-

(Rajani Dubey)
Judge