

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4320 of 2020

1. Kishan, S/o Jeetram Ratre, Aged About 23 Years.
2. Kaleshwar, S/o Fitram Ratre, Aged About 35 Years.

Both R/o Lohrabor, Police Station Pachpedi, District- Bilaspur
(C.G.)

--- Applicants

Versus

State of Chhattisgarh, Through Station House Officer, Police Station
Pachpedi, District- Bilaspur (C.G.)

--- Respondent

For Applicants	:	Mr. Hemant Kesharwani, Advocate.
For State/ Respondent	:	Mr. Devendra Pratap Singh, Dy. A.G.
For Complainant	:	Mr. Suresh Tandon, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

05/08/2020

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 applicants who have been arrested in connection with Crime No. 77/2020, registered at Police Station- Pachpedi, District- Bilaspur (C.G.) for the offence punishable under Section 456, 354(A), 323 & 34 of IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicants submits that the applicants are in jail since 19.06.2020 and have been falsely implicated in this case. The complainant himself has compromised and has

given application making no objection in grant of bail to the applicants, which is supported with affidavit of the complainant himself. Hence, it is prayed that the applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application submitting that according to the material present in case diary, no case is made out for grant of bail to the applicants. Hence, the application for grant of bail may be rejected.
4. The complainant- Santosh Kumar Ratre along with the victim is present in person before this virtual Court through the Help Desk of the High Court of Chhattisgarh and he has stated that he has no objection in grant of bail to the applicant.
5. Heard counsel for both the parties and perused the records.
6. As per case of the prosecution, it is alleged that on the date and time of incident, both the applicants intending to outrage modesty of the minor victim, forcibly confined her and disrobed her regarding which, the FIR has been lodged.
7. Considered on the submissions made and on the fact present is the case diary and also the statement of no objection given by the complainant side, I am of the view that it would be proper to release the applicants on regular bail, hence, I feel inclined to grant bail to the applicants in this case.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs. 25,000/- each with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy, as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Arun