

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 4498 of 2020**

- Bhaskar Sahu S/o Vijay Kumar Sahu, Aged About 34 Years R/o Pithampur, P. S. Lormi, District Mungeli Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, P. S. Lormi, District Mungeli Chhattisgarh

---- Respondent

For Applicant
For Respondent/State

Mr. Lukesh Kumar Mishra, Advocate
Ms. Fouzia Mirza, Additional Advocate
General

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****1/9/2020**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.190/19 registered at Police Station Lormi District Mungeli (CG) for the offence punishable under Sections 376, 354, 354A, 34 of the IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

3. The present applicant is the husband of the complainant/prosecutrix Ramkumari, who lodged a written report on 27.4.2020 alleging that rape was committed on her by Devi Prasad since 2013 and in May 2018, he tried to outrage the modesty of her daughter Linima. After one year of the said incident, the present FIR has been lodged. As against the present applicant, the allegation is that he allowed Devi Sahu to commit rape with his wife. The prosecutrix was a working woman as she was the Secretary of Women Self Help Group, Jai Mayamaya Mahila Swa Sahayata Samuh and she continued to remain in relationship with co-accused Bhaskar Sahu even after the incident. Her children also regularly attended the school, which according to learned counsel for the applicant, shows that the present FIR has been lodged with an intent to implicate the accused persons in false case.
4. Co-accused Ramesh Sahu has been enlarged on bail in MCRC No.291 of 2020 vide order dated 25.2.2020, whereas, Deviprasad and Jawahar lal Sahu have been enlarged on bail in MCRC Nos.2144 of 2020 and 2951 of 2020 vide orders dated 17.6.2020 and 24.6.2020 respectively.
5. Considering the entire facts situation of the case and for the reason that the co-accused persons have been granted regular bail, this Court is inclined to release the present applicant also on regular bail.
6. Accordingly, the bail application is allowed and the applicant is

directed to be released on bail on his furnishing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

7. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

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