

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.6311 of 2020**

1. Vimlesh Yadav S/o Bachandev Yadav Aged About 23 Years R/o Ganjar, Police Station Ramchandrapur, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
2. Pintu @ Nitish Yadav S/o Gaya Prasad Yadav Aged About 22 Years R/o Ganjar, Police Station Ramchandrapur, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
3. Lallu @ Dharmesh Yadav S/o Badan Prasad Yadav Aged About 23 Years R/o Ganjar, Police Station Ramchandrapur, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Petitioners**Versus**

- State Of Chhattisgarh Through Station House Officer , Police Station Ramchandrapur, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Respondent

For Applicant	:	Shri CJK Rao, Advocate
For Respondent/State	:	Shri Alok Bakshi, Additional AG

Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****15/10/2020**

Heard.

1. The applicants have moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.02/2018 registered at Police Station Ramchandrapur, District Balrampur-Ramanujganj for the offence punishable under Section 506, 354(घ), 509(2), 34 of the IPC and Section 66 of the I.T. Act, 2000. The applicants were arrested on 14-07-2020.
2. Prosecution case is that the present applicants used to call the prosecutrix and indulge in obscene talks and the applicants also threatened the prosecutrix that she would be raped and killed.
3. Learned counsel for the applicants would submit that in the present case, the applicants have been falsely implicated and they have not committed any

offence. It is submitted that as investigation is complete, charge sheet has been filed and the applicants are in jail since 14-07-2020, they may be granted bail.

4. On the other hand, learned counsel for the State/non-applicant opposes the bail application by submitting that from the contents of FIR, case diary statement as also statement recorded under Section 164 Cr.P.C., it is clear that the prosecutrix was being harassed by the applicants since many months and there was obscene language used against the prosecutrix and she was threatened by saying that she would be raped and killed. Therefore, prima facie case is made out against the applicants.

5. Taking into consideration the nature of allegations and that investigation is complete, charge sheet has been filed and the applicants are in jail since 14-07-2020 and also taking into consideration the maximum punishment, which could be awarded for the alleged offence, in my considered opinion, the present appears to be a fit case for grant of bail.

6. Accordingly, the application is allowed. It is ordered that the applicants shall be released on bail on each of them furnishing a personal bond of Rs.25,000/- along with one local surety of the like amount to the satisfaction of the concerned trial Court on the condition that they shall appear before the trial Court regularly on each and every date of hearing, unless exempted.

It is made clear that the applicants shall not in any manner, make any attempt to call or contact the prosecutrix. If any such incident is reported, the prosecutrix or the State would be at liberty to apply for cancellation of bail and this Court may be inclined to cancel the bail.

Certified copy as per rules.

SD/-
(**Manindra Mohan Shrivastava**)
Judge