

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2391 of 2021

1. Ravi @ Kamlesh S/o Shiv Kumar @ Bablu Kure, Aged About 19 Years, R/o Village- Penari, Paterapara, Police Station- Khadgawan, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
2. Sanjay Kumar S/o Prem Kumar, Aged About 18 Years, R/o Village- Devadand, Ghutripara, Police Station- Khadgawan, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
3. Manoj Kumar S/o Akhil Chand @ Lallu, Aged About 19 Years, R/o Turrapara, Devadand, Police Station- Khadgawan, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through- The Incharge, Chowki- Korbi, Police Station- Passan, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Non-applicant

For Applicants – Shri Aditya Khare, Advocate.

For State/Non-applicant – Shri Anil Tripathi, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29-06-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicants for grant of regular bail. The applicants have been arrested on 31-01-2021 in connection with Crime No.18/2021 registered at Police Station – Chowki- Korbi, Police Station- Passan, District- Korba, Chhattisgarh for the offence under Section 354, 506/34 of the IPC and Section 8, 12 of Protection of Children from Sexual Offences Act.

2. It is submitted by learned counsel for the applicants, that the applicants have been falsely implicated in this case because of previous enmity. They are in jail since 31-01-2021. Charge sheet has been filed. Therefore, it is prayed that these applicants be enlarged on bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that there is direct evidence present against these applicants regarding commission of the offence, therefore, the application may be

rejected.

4. Heard learned counsel for the parties and perused the case diary.

5. The prosecution case is this, that on the date of incident all these applicants caught hold of the prosecutrix, took her to a shrub and then she was molested and her modesty was outraged by them.

6. Considering that charge sheet has been filed and the applicants are in jail since about more than five months and the trial is likely to take some time, I feel inclined to allow this application.

7. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that these applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge