

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2860 of 2021**

1. Ramesh Sahu, S/o. Budhram Sahu, aged about 32 years, R/o. Village- Kharkena, P.S.- Hirri, District- Bilaspur, Chhattisgarh.
2. Parmeshwar Gendle, S/o. Bhagwat Prasad Gendle, aged about 35 years, R/o Village- Kharkena, P.S.- Hirri, District- Bilaspur, Chhattisgarh.

---- Applicants**Versus**

State of Chhattisgarh, Through : Station House Officer, Police Station- Sakri, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Nitansh Kumar Jaiswal, Advocate
For Respondent/State	: Ms. Akshara Amit, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****16/07/2021**

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.70/2021, registered at Police Station – Sakri, District – Bilaspur (C.G.) for the offence punishable under Section 354, 34 of the Indian Penal Code and Section 8, 12 of the POCSO Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicants are in jail since 02.03.2021. Charge-sheet in this case has been

filed and the trial is not making any progress Hence, it is prayed that the applicants may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the victim is consistent in making allegation against the applicants in her statement under Section 161 and 164 of Cr.P.C., therefore, the application be rejected.
4. Minor victim is present virtually before this Court on notice through the Help Desk of this High Court and she has no objection in grant of bail to the applicants.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. Prosecution case is this that on the date of incident both the applicants arrived at the house of the minor victim and then finding her alone by used physical force, they intentionally outraged her modesty.
7. Considered on the submissions and the facts and circumstances of the case. As the case is now pending for trial after filing of the charge-sheet and the trial is likely to take sometime for its conclusion, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
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/- 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

Balram