

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4267 of 2021**

1. Ajay Basor @ Biru, S/o Hiralal Basor, aged about 25 years,
2. Janik Ram Basor @ Paan, S/o Harilal, aged about 20 years,
3. Chandan Basor, S/o Charan Basor, aged about 19 years,

All R/o Lalpur, PS Manendragarh, District Koriya (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Manendragarh, District Koriya (CG)

---- Non-Applicant

For Applicant	: Shri Pushkar Sinha, Advocate.
For Non-Applicant	: Shri Chandresh Shrivastava, Deputy AG.

Proceeding Through Video Conferencing**Hon'ble Shri Prashant Kumar Mishra, Ag CJ****Order On Board****24/08/2021 :**

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.65/2020 registered in Police Station Manendragarh, District Koriya for offence under Section 376 (D), 506, 34, 120 (B) of the IPC and Section 66 (E) & 67 (A) of the IT Act, 2000.
2. The applicants have allegedly committed gang rape on the prosecutrix, a married lady, aged about 30 years.

3. Material available in the case diary indicates that the prosecutrix is involved in earning livelihood by begging. Although she makes allegation of gang rape in her diary statement, but when examined in the Court, she has turned hostile without supporting the prosecution at any stage of examination. Similarly, her mother examined as PW-2 has also turned hostile.
4. Considering the entire fact situation of the case and for the fact that these applicants are in jail since 5.3.2020 i.e. for more than 1 year and 5 months, I am inclined to release them on bail.
5. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
(Prashant Kumar Mishra)
Acting Chief Justice

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