

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6119 of 2021**

1. Meghnath Vishvakarma S/o Late Nanduram Vishvakarma Aged About 30 Years R/o Peedhi, P.S.- Tumgaon, District- Mahasamund, Chhattisgarh.
2. Amrika W/o Meghnath Vishvakarma Aged About 25 Years R/o Peedhi, P.S. Tumgaon, District Mahasamund, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through S.H.O. P.S.- Pallari, District- Balodabazar- Bhatapara, Chhattisgarh.

---- Respondent

For the Applicants : Shri Hemant Gupta, Advocate.
For the Respondent/State : Ms. Akshara Amit, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****16.09.2021**

Heard.

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.269 of 2021, registered at Police Station – Pallari, District – Baloda-Bazar Bhatapara, Chhattisgarh for the offence punishable under Sections 363, 366A, 342 and 354(A)(ii), 34 of the Indian Penal Code, Sections 8 & 18 of the Protection of Children from Sexual Offences Act, 2012 and Sections 3(2)(v)(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Learned counsel for the applicants submits that the applicants are in jail since 11.7.2021 and have been falsely implicated in this case. The allegation that these applicants gave shelter to the main accused and the

victim in the premises under their possession is totally false. Applicant No.1 is not the owner of the said premises. He was only employed as contractor at the premises, which is under construction. Hence, it is prayed that the applicants be enlarged on 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 these applicants have clearly given assistance to the main accused in the commission of offence of abduction and outraging the modesty of the minor victim, therefore, no case is made out for grant of bail to the applicant.

4. The victim is present before this virtual Court through the Help-Desk of the DLSA, Baloda-Bazar. She made a statement that she has objection in grant of bail to the applicant.

5. Heard counsel for both the parties and perused the case diary.

6. According to the prosecution case, co-accused -Rameshwar Vishwakarma abducted the minor victim and took her to Raipur where these applicants gave them shelter in the premises under their possession for sometime. The case against these applicants is that they gave shelter to the main accused and they gave assistance to the main accused in the commission of offence of abduction and outraging the modesty of the minor victim. Hence, this case.

7. Considered the submissions and the facts present in this case. Looking to the limited allegations present against these applicants and there is no likelihood of conclusion of trial in the near future, I feel inclined to grant regular bail to the applicants.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that the 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 trial Court, for their appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge