

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8930 of 2020

1. Manas Bhushan, S/o Genu Ram Yadav, Aged About 23 Years.
2. Sanju Poyam, S/o Mr. Asha Ram, Aged About 21 Years
3. Deepak Yadav, S/o Mr. Mohan Yadav, Aged About 23 Years.

All are R/o Kokodi, Darali Para, Kondagaon (C.G.)

4. Madan Singh Baghel, S/o Mannu Ram Baghel (wrongly mentioned in order as Bannuram Baghel), Aged About 23 Years, R/o Village Odargaon, Irabag Para, P.S. Makdi, District-Kondagaon (C.G.)

--- Applicants

Versus

State of Chhattisgarh, through the Police Kondagaon, District-Kondagaon (C.G.)

--- Respondent

For Applicants : Mr. Raza Ali, Advocate.

For State/ Respondent : Mrs. Smita Jha, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13/01/2021

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. 336/2020, registered at Police Station- Kondagaon, District-Kondagaon (C.G.) for the offence punishable under Section 363, 341, 342, 121(B), 354, 506 of IPC and Section 8 of the

Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicants submits that the applicants are in jail since 07.11.2020 and have been falsely implicated in this case because of the previous enmity between the parties. The charge-sheet has been filed, hence, it is prayed that the applicants may be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application submitting that the statement of the prosecutrix discloses about the allegations against these applicants and they have no case for grant of bail. Hence, the application for grant of bail may be rejected.
4. Heard counsel for both the parties and perused the records.
5. As per case of the prosecution, it is alleged that the prosecutrix of age about 16 years and 9 months, was abducted by these applicants and taken to a place in forest, where, she was kept confined. It is also alleged that applicant No. 1- Manas Bhushan has intention to marry the prosecutrix, because of which, he threatened her and also molested her. Subsequent to which, the police has registered the case against these applicants.
6. Considered on the submissions and the facts present in this case. The charge-sheet has been filed after completion of investigation, looking to this reason and the other circumstances present, I am of this view that it would be proper to release the applicants on bail, hence, I feel inclined to grant bail to the applicants in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs. 25,000/- each 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

Arun