

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1501 of 2019**

1. Jai Kishan Futan S/o Mangiyaram Futan Aged About 47 Years R/o Village Demar, Police Station Arjuni, District Dhamtari Chhattisgarh
2. Trilok Futan S/o Jaikishan Futan Aged About 20 Years R/o Village Demar, Police Station Arjuni, District Dhamtari Chhattisgarh
3. Neelkamal Patel S/o Gajanand Patel Aged About 21 Years R/o Village Demar, Police Station Arjuni, District Dhamtari Chhattisgarh
4. Kaushal Patel S/o Shivratan Patel Aged About 23 Years R/o Village Demar, Police Station Arjuni, District Dhamtari Chhattisgarh
5. Ravi Yadav S/o Anup Ram Yadav Aged About 19 Years R/o Village Demar, Police Station Arjuni, District Dhamtari Chhattisgarh

**---- Applicants****Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Arjuni, District Dhamtari, Chhattisgarh

**---- Non Applicant**


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For the Applicants : Shri Anil Gulati, Advocate

For Non Applicant : Shri Washim Miyan, Panel Lawyer

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**Hon'ble Shri Justice Sharad Kumar Gupta****Order On Board****29.03.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.30/2019 registered at Police Station- Arjuni, District- Dhamtari (C.G.) for the offence punishable under Sections 354, 506, 34 of Indian Penal Code, Section 8 of Protection of Children from Sexual Offences Act.
3. Case of the prosecution, in brief is that prosecutrix is about 17 years of age. She is resident of village Demar. On 27.01.2019 applicants used criminal force on the body of the prosecutrix to outrage her modesty.
4. Learned counsel for the applicants submits that applicants have no criminal background, they are innocent and have been falsely implicated in the present case, therefore, they shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicants.
6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is ordered that if each applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that he shall not commit similar type of offence in future, he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

**Sd/-**  
**(Sharad Kumar Gupta)**  
 Judge

Parul