

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3149 of 2015**

Heeralal, S/o. Shri Shivcharan Yadav, aged about 20 years, Occupation-Laborer, R/o. Village- Ratanpur, P/s. and Tahsil-Kapu, Civil and Revenue District – Raigarh (C.G.)

.....Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, of the P/s. - Kapu, District – Raigarh (C.G.)

---- Respondent

For Applicant:	Shri Abhishek Saraf, Advocate.
For Respondent/State:	Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****07/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 20/2015 registered at Police Station Kapu, District - Raigarh for the offences punishable under Sections 354, 506(B) & 456 of the Indian Penal Code and Section 8 of the POSCO Act.

(2) Case of the prosecution, in brief, is that on 20.03.2015 applicant entered into the house of the prosecutrix and outraged

her modesty and, thereby, committed the aforesaid offences.

(3) Learned counsel for the applicant submits that the applicant has falsely been implicated in the offence in question as there is delay of five days in lodging the First Information Report. He further submits that applicant is in jail since 08.04.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; considering the role of the present applicant in the crime in question; further considering the facts that applicant is in jail since 08.04.2015; and the charge sheet has already been filed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)

Judge

