

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 4267 of 2015**

- Harshmandar Mahant, S/o.-Shri Manoj Das Mahant, aged about – 22 years, Occupation – Laborer, R/o. - Village – Khokhra, P/s. and Tahsil – Pussour, Civil and Revenue District – Raigarh (C.G.)

**---- Applicant****Versus**

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

**---- Non-applicant**


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For Applicant: Mr. Abhishek Saraf, Advocate.  
For Non-applicant/State: Mrs. Madhu Nisha Singh, Panel Lawyer.

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****24/08/2015**

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. 133/2015 registered at Police Station Pussour, District - Raigarh for the offence punishable under Section 354 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 3.8.2015 applicant outraged the modesty of the complainant and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the offence in question as he has not committed any offence. He further submits that applicant is in jail since 03.08.2015; charge sheet is yet to be filed and substantial investigation has already been made and, therefore, 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; role of the present applicant in the crime in question; applicant is in jail since 03.08.2015 and the substantial investigation has already been made; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the 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

D/-