

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4383 of 2015**

Kinker Ram S/o Shri Ghanaram Chandrawanshi, aged about 25 years, Caste-Kurmi, R/o Village-Dongariyakala, P.S. Pandatarai, Civil & Revenue Distt.Kabirdham (CG)

---Applicant

Versus

State of Chhattisgarh, through, Station House Officer, Police Station-Pandatarai, District Kabirdham (CG)

---Non-applicant

For Applicant	:	Mr. Awadh Tripathi, Advocate
For Non-applicant	:	Mr. Neeraj Pradhan, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****31/08/2015**

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 applicant who has been arrested in connection with Crime No.53/2015, registered at Police Station-Pandatarai, District Kabirdham (C.G.), for the offence punishable under Sections 354 and 456 of the IPC.
2. Case of the prosecution, in brief, is that on 25.7.2015 the applicant entered into the house of the victim and outraged her modesty and thereby committed the aforesaid offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that there is money transaction dispute between the parties, the applicant is in jail since 5.8.2015 and charge-sheet is yet to be filed and therefore, he may be released on regular bail.
4. On the other hand, learned counsel for the State would oppose the

bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant and his pre-trial detention, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

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

8. It is directed that applicant shall be released on bail on 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 his appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-