

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5326 of 2015**

- Makhan Marar, S/o Beerbal Marar, aged about 35 years, R/o – Village – Sari, Post Office & Police Station -Sahaspur-Lohara, District Kabirdham (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh, Through the Station House Officer, Police Station-Sahaspur-Lohara, District-Kabirdham (C.G.)

---- Non-applicant

For Applicant: Mr. Shivendu Pandya, Advocate.

For Non-applicant/State: Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****05/10/2015**

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. 298/2015 registered at Police Station Sahaspur-Lohara, District – Kabirdham (C.G.) for the offences punishable under Sections 354 & 456 of the Indian Penal Code.

(2) Case on the prosecution, in brief, is that on 10.09.2015 applicant entered into the house of complainant unauthorisedly and outraged her modesty and thereby committed the aforesaid

offences.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that applicant is in jail since 11.09.2015 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; role of the present applicant in the offence in question; further considering his pre-trial detention and no custodial interrogation is required; 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/-

