

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5353 of 2015**

Rakesh Rajak S/o Shri Pannalal Rajak, aged about 35 years, R/o Village-Belgahna, Out Post-Belgahna, Police Station-Kota, Civil & Revenue District-Bilaspur (CG)

---Applicant

Versus

State of Chhattisgarh, Through-Station House Officer, Police Station-Kota, District-Bilaspur (CG)

---Non-applicant

For Applicant	:	Mr. Dharmesh Shrivastava, Advocate
For Non-applicant	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

08/10/2015

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.214/2014, registered at Police Station-Kota, District-Bilaspur (C.G.), for the offence punishable under Sections 354, 506 and 323 of the IPC.
2. Case of the prosecution, in brief, is that on 11.8.2014 the applicant outraged the modesty of the complainant and also caused hurt to her.
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 the applicant is Sports Teacher working in the school, he is in jail since 14.9.2015 and charge-sheet has been filed in his absence.
4. On the other hand, learned counsel for the State would oppose the bail application and submit that the applicant remained absconding for one year and false complaint has been made against the prosecution.

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, his pre-trial detention and the fact that charge-sheet has already been filed, 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 his 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/-