

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5384 of 2015**

- Lallu @ Bharat Singh Rajput son of Ramvishal Rajput, aged about 50 years, resident of Lalpur, P.S. -Gourela, Tahsil – Pendraroad, District -Bilaspur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: Station House Officer, Police Station -Gourela, District Bilaspur (C.G.)

---- Non-applicant

For Applicant: Mr. Yogendra Chaturvedi, Advocate.
 For Respondent/State: Mr. Varun Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****08/10/2015**

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. 211/2015 registered at Police Station Gourela, District-Bilaspur for the offences punishable under Sections 456, 354, 323 & 294 of the Indian Penal Code and Section 3(1)(xi) of Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act.

(2) Case of the prosecution, in brief, is that on 9.7.2015 applicant entered into the house of major complainant unauthorisedly and not only abused her but also assaulted her and outraged her modesty knowing fully well that she is member of

Scheduled Caste category and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the since the applicant has lodged the report against the husband of the complainant, therefore, as a counter blast, such false report has been lodged against the applicant, in which, the applicant is in jail since 09.09.2015; 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; further considering the defence of the applicant; his pre-trial detention and the fact that 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 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/-