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HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C No. 5403 of 2015**

Ashok Bhatpahari, S/o. Khamhan Lal Bhatpahari, aged about 35 years, R/o. Village Kodebod (Bhatapara) Police Chowki Birejhar, Police Station and Tehsil Kurud, Civil and Revenue District Dhamtari (C.G.)

---- Applicant

Versus

State Of Chhattisgarh through Police of Police Chowki Birejhar, Police Station Kurud, District Dhamtari (C.G.)

---- Non-applicant

For Applicants: Shri Y.C. Sharma,, Advocate
For Respondent/State: Shri Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****12/10/2015**

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. 330/2015 registered at Police Station – Birejhar, Police Station Kurud, District Dhamtari for the offences punishable under Sections 456 & 354 of the Indian Penal Code, 1860.

(2) Case of the prosecution, in brief, is that on 7.8.2015 applicant entered into house of the prosecutrix and outraged her modesty and thereby committed the aforesaid offences.

(3) Learned counsel for the applicant submits that applicant has been falsely implicated in the case as he has not committed

any offence. He further submits that the applicant is in jail since 08.09.2015 and the charge sheet has already been filed and therefore, he may be released on bail.

(3) On the other hand, learned counsel for the State opposes the bail application.

(4) Taking into consideration the facts & circumstances of the case; and the facts that applicant is in jail since 08.09.2015; charge sheet has already been filed 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.

(5) 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/-