

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 411 of 2016**

Kamlesh Kumar Bandhe, S/o Kishoon Ram, Aged about 21 years, R/o Village- Muley, Chowki Birejhar, Police Station and Tahsil Kurud, Revenue and Civil District Dhamtari (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh, Through: Station House Officer, Chowki Birejhar, Police Station Kurud, District Dhamtari (C.G.)

---- Non-applicant

For Applicant: Shri Sanjeev Sahu, Advocate.
For Respondent/State: Shri Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****02/02/2016**

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. 536/2015 registered at Police Station Kurud, District Dhamtari for the offences punishable under Sections 354 & 506 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 25.11.2015 applicant outraged the modesty of the complainant and also threatened her to kill and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicant is innocent person and he has falsely been implicated in the crime in question. He would further submit that applicant is in jail since since 25.11.2015; and the charge sheet has already been filed and no useful purpose would be served in detaining him in jail 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 role the applicant in the offence in question; 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.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

