

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.639 of 2016

Narayan Yadav, S/o Santram Yadav, aged about 30 years, R/o Dumardih,
Thana Chhuriya, Distt. Rajnandgaon (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Thana Chhuriya, Distt. Rajnandgaon (C.G.)

---- Non-applicant

For Applicant:	Mr. Samir Singh, Advocate.
For Non-applicant:	Mr. Ajit Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

18/02/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.6/2016, registered at Police Station Chhuriya, Distt. Rajnandgaon, for the offence punishable under Sections 456, 354, 354A of the IPC.
2. Case of the prosecution, in brief, is that on 1-1-2016, the applicant entered into the house of the major complainant and outraged her modesty and sexually assaulted her, and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case, there is delay of five days in lodging the FIR, the complainant is major, the applicant is in jail since 13-1-2016 and charge-sheet has not been filed.
4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case

diary.

6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicant, his pretrial detention and extent of delay in lodging the FIR, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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 Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma