

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.624 of 2016

Dinesh Kumar Markam, S/o Late Shri Sahettar Markam, aged about 25 years, Caste Gaanda, R/o Mohlai Patel Para, P.S. Pharasgaon, District Kondagaon, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through Police Station Pharasgaon, District Kondagaon, Chhattisgarh.

---- Non-applicant

For Applicant:	Mr. Avinash K. Mishra, Advocate.
For Non-applicant:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

11/02/2016

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.174/2015, registered at Police Station Pharasgaon, Distt. Kondagaon, for the offence punishable under Sections 454, 354-A (1) and 323 of the IPC.
2. Case of the prosecution, in brief, is that on 23-10-2015, the applicant entered into the house of the complainant and outraged her modesty and also injured her.
3. Learned counsel for the applicant submits that Crime No.172/2015 was registered by the applicant against the complainant and his relatives for offence under Sections 294, 232 and 506 read with Section 34 of the IPC and as a counter blast, the instant offence has been registered against the applicant in which the applicant is in jail since 26-11-2015 and charge-sheet has 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, counter case registered against the complainant party, pretrial detention of the applicant and the fact that charge-sheet has been filed, I am of the view that it is a fit case to grant regular bail to the applicant. 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