

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 665 of 2016**

Bhuwan, S/o Nanhu Mascole, aged 46 years, R/o Dhamindih, Police Station-Rengakhar, District Kabirdham (C.G.)

---- Applicant

Versus

State Of Chhattisgarh: Through Station House Officer, Excise Station- Rengakhar, District Kabirdham (C.G.)

-----Non-applicant

For Applicant: Mr. Malay Shrivastava, Advocate.
For Respondent/State: Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****22/02/2016**

(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. 03/2016 registered at Police Station Rengakhar, District Kabirdham (C.G.) for the offences punishable under Sections 456 & 354 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 30.12.2015 applicant entered into the house of complainant and outraged her modesty and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that the applicant is

languishing in jail since 8.1.2016 and the charge sheet is yet to be filed but substantial investigation has already been made 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 his pre-trial detention; role of the present applicant in the crime in question and the substantial investigation has already been made; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant – **Bhuwan** 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/-