

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1243 of 2016

Dinesh Sahu, S/o Mr. Kushal Sahu, aged about 26 years, R/o Village Chumkunwa, Thana Koni, District Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Police Station, Koni, District Bilaspur (C.G.)

---- Non-applicant

For Applicant:	Mr. Achyut Tiwari, Advocate.
For Non-applicant:	Mr. Neeraj Kumar Sharma, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

10/03/2016

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.22/2016, registered at Police Station Koni, Distt. Bilaspur, for the offence punishable under Sections 452, 354 of the IPC and 3(1)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. Case of the prosecution, in brief, is that on 13-1-2016, the applicant trespassed in the house of the complainant who belongs to Scheduled Tribe category and outraged her modesty, and thereby committed the offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the case on account of dispute with the husband of the complainant. The applicant is in jail since 30-1-2016 and charge-sheet is yet to be filed.
4. On the other hand, learned State counsel would oppose the application.
5. I have heard learned counsel for the parties and gone through 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 charge-sheet is yet to be 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