

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1794 of 2016**

Jagmohan Banjare, S/o Mukund Banjare, aged about 25 years, R/o village Sarkipar, Police Station Suhela, Civil and Revenue District Baloda Bazar – Bhatapara (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh: Through :- Station House Officer, police of Police Station- Suhela, District Baloda Bazar – Bhatapara (C.G.)

-----Non-applicant

For Applicant: Mr. Anil Gulati, Advocate.
For Non-applicant/State: Mr. Dhiraj Kumar Wankhede, GA

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****31/03/2016**

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. 27/2016 registered at Police Station Suhela, District Baloda Bazar – Bhatapara (C.G.) for the offences punishable under Sections 456, 354 & 354(A) of Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 6.2.2016 applicant entered into the house of the prosecutrix and outraged her modesty and also sexually assaulted her and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that the applicant has been falsely implicated in the offence in question as he has not

committed any offence. He further submits that the applicant is in jail since 5.3.2016; and the charge sheet is yet to be filed but substantial investigation has already been completed 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 and circumstances of the case; role of the present applicant in the offence in question; pre trial detention and the nature of injuries suffered by the victim; 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 – **Jagmohan Banjare** 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/-