

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1828 of 2016**

Ramesh Sahu, aged about 20 years, son of Shri Sukul Prasad @ Guha Sahu, resident of Yadav Nagar, Tifra, Besides Ajay Kirana Stores, P.S. Sirgitti, Civil and Revenue District Bilaspur (CG).
---- Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station Sirgitti, Civil and Revenue, District Bilaspur (CG).

---- Non-applicant

For Applicant : Shri N.L. Soni, Advocate
 For Non-applicant/State : Shri Suvigya Awasthi, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

05/04/2016**(1)** Heard.

(2) This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested on 15.02.2016 in connection with Crime No.64/2016, registered at Police Station Sirgitti, Bilaspur, for the offence punishable under Sections 354, 323, 325, 506 of the Indian Penal Code and Section 8 of the Langik Apradhon Se Balkon Ka Sanrachhan Adhiniyam.

(3) Case of the prosecution, in brief, is that on 10.02.2016 the present applicant abused and assaulted complainant-Raj Kumar Kaiwartya by which, he has suffered grievous injury and also outraged the modesty of his daughter and, thereby, committed the aforesaid offence.

(4) Learned counsel appearing for the applicant submits that the

applicant has been falsely implicated in the crime in question and he has not committed any offence. He further submits that the applicant is in jail since 15.02.2016, charge-sheet has already been filed and there is no report of outraging the modesty of daughter of complainant in Rojnamcha Sanha on 10.02.2016 and therefore, the applicant may be released on bail.

(5) On the other hand, learned counsel for the State opposes the bail application.

(6) I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

(7) Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, the role of the present applicant and further taking into consideration the documents available on record and pretrial detention of the applicant, charge-sheet has been filed and the facts that the present applicant is in jail since 15.02.2016, this Court is of the view that it a fit case to release the applicant on bail. Accordingly, the application is allowed.

(8) Accused/applicant 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 by the said Court.

(9) Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-