

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C.No.848 of 2016**

Baldau S/o. Ram Prasad Chandrakar, aged 35 years, R/o. Vill: Bandha,  
P.S. Pandaria, Dist.Kabirdham (CG)

**---Applicant**

**Versus**

State of Chhattisgarh Through: Station House Officer, Pandaria,  
Dist.Kabirdham (CG)

**---Non-applicant**

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|-------------------|---|--------------------------------|
| For Applicant     | : | Mr. Yogeshwar Sharma, Advocate |
| For Non-applicant | : | Mr. Neeraj Sharma, Dy.G.A.     |

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**Hon'ble Shri Justice Sanjay K. Agrawal**

**Order on Board**

**01/03/2016**

1. 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 in connection with Crime No.17/2016, registered at Police Station-Pandaria, District-Kabirdham (C.G.), for the offence punishable under Sections 451, 354 (A) (1) (2) and 506 of the IPC.

2. Case of the prosecution, in brief, is that on 12.1.2016, the applicant after sexually assaulting the complainant outraged her modesty and also threatened her.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant is in jail since 12.1.2016 and charge-sheet has already been filed and

therefore, he may be enlarged on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of the offence; role of the present applicant; his pre-trial detention and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall 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 trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

**Sd/-**

**(Sanjay K. Agrawal)**  
**JUDGE**

B/-