

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1748 of 2016**

Mohanlal Rajak, S/o Shri Jaikaran Rajak, aged about 60 years, R/o-
Murum Dafai, Khongapani, Post Office & Police Station-Jhagrakhand,
District-Koriya (CG)

---Applicant

Versus

State of Chhattisgarh through the Station House Officer, Police Station-
Jhagrakhand, District-Koriya (CG)

---Non-applicant

For Applicant	:	Mr. Shivendu Pandya, Advocate
For Non-applicant	:	Mr. S. Awasthy, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

30/03/2016

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.20/2016, registered at Police Station-Jhagrakhand, District-Koriya (CG), for the offence punishable under Sections 354 A(1), 294, 506, 376/511, 354, 354(B), 498-A and 323 of the IPC.

2. Case of the prosecution, in brief, is that the applicant has outraged the modesty of the complainant, attempted to commit rape with her and also sexually harassed her being father-in-law of the complainant.

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 there is delay of three months in lodging the F.I.R., the applicant is in jail since 28.1.2016 and charge-sheet has already been filed, therefore, he may be released 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 & circumstances of the case, nature & gravity of the offence, role of the present applicant, extent of delay in lodging the F.I.R. 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.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-