

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1758 of 2016**

Gangaram @ Gajendra, S/o Roopchand Sahu, aged about 27 years, R/o village Sankri, Police Station City Kotwali, Baloda Bazar, District Baloda Bazar- Bhatapara (C.G.)

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station City Kotwali, District Baloda Bazar- Bhatapara (C.G.)

---- Non-applicant

For Applicant: Mr. T.K. Jha, Advocate.
For Non-applicant/State: Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09/05/2016**

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. 93/2016 registered at Police Station City Kotwali, Baloda Bazar, District Baloda Bazar- Bhatapara (C.G.) for the offence punishable under Sections 354, 456 & 506 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 2.3.2016 applicant is said to have outraged the modesty of the major complainant by trespassing into her house 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 has already been filed and no useful purpose would be served in detaining him in jail 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 nature & gravity of the offence; facts and circumstances of the case; role of the present applicant in the offence in question; age of the complainant; further considering his pre trial detention and the fact that charge sheet has already been filed ; 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 – **Gangaram @ Gajendra** 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/-