

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.3902 of 2017

Amit @ Cheeku Sharma S/o Late Mrigendra Sharma Aged About 25 Years R/o
New Khurshipar, Jagir Chowk, Bhilai, District Durg Chhattisgarh.

-----Applicant

Versus

State of Chhattisgarh Through District Magistrate, Durg, District Durg
Chhattisgarh.

-----Respondent

For Applicant : Shri BP Singh, Advocate.

For Respondent : Shri Arun Sao, Govt. Advocate for the State.

Hon'ble Shri Justice Anil Kumar Shukla

Order On Board

On 01.06.2017.

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.71/2017 registered at Police Station Khursipar, District Durg, for the offence punishable under Sections 294,323,452 and 354/34 IPC.
2. Case of the prosecution, in brief, is that on 13.03.2017, the applicant along with other co-accused persons have entered into the house of the prosecutrix and tried to outrage her modesty and have also used abusive language.
3. Learned counsel for the applicant submits that the applicant is in detention since 15.03.2017. He further submits that applicant has no criminal background and has been falsely implicated in the case, and therefore, the applicant may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard the counsel appearing for the parties.
6. Without commenting on merits, considering the totality of the facts and circumstances of the case and also considering the nature of offence and the fact that the applicant is in detention since 15.03.2017, this Court is of the opinion that present is the 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 furnishing a personal bond in the sum of Rs.15,000/- with two sureties in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Anil Kumar Shukla)
V. JUDGE

sharma