

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5636 of 2017**

Akhilesh Patle S/o Maksudan Patle, Aged About 24 Years R/o N T P C
Korba Jamnipali Quarter No. B/1371, P. S. Darri, District Korba,
Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through P. S. City Kotwali, District Bilaspur,
Chhattisgarh.

---- Respondent

For the Applicant : Shri Sanjay Kumar Agrawal, Advocate.
For the Respondent/State : Shri Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****06.12.2017**

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. 321 of 2017, registered at Police Station City Kotwali, District Bilaspur, Chhattisgarh for the offences punishable under Sections 394, 354, 323 and 506 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 01.08.2017. He also submits that applicant – Akhilesh Patle and complainant – Ku. Sushma Sonikar in this case were acquainted to each other and they had a love affair between them. On the date of incident, there had been a small dispute because of which the complainant has lodged false FIR against the applicant making various false allegations. The applicant is a local resident of District Korba and he is ready to abide by all the

conditions that may be imposed on him. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the complainant has made clear and categorical statement against the applicant regarding the commission of various offences of outraging her modesty, assaulting her, threatening her and looting her mobile. Hence, for these reasons, he is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. The facts of the case are that the applicant and the complainant were acquainted to each other since 10 years. The applicant had taken some photographs of the complainant and he was threatening her that he will make the photographs public. On the date of incident, the applicant wanted to have some conversation with the complainant to which she refused. Thereafter, the applicant forcefully caught hold her and tried to make her sit in his vehicle and inspite of the protest made by the complainant, he forcefully took her mobile phone and also assaulted her.

6. Considering the submissions and the contents of the case-diary and taking into consideration the fact that the applicant is a local resident and there is no difficulty in his availability during trial, I am of the view that after imposing some suitable conditions the applicant is entitled for grant of 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.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/-

(Rajendra Chandra Singh Samant)
Judge