

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C No. 6023 of 2017

- Santosh Sarthi S/o Late Buturam Sarathi Aged About 29 Years
R/o Indira Nagar, Jamnipali, Police Station Darri, Tahsil
Katghora, Civil And Revenue District Korba Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police
Station Darri, District Korba Chhattisgarh.

---- Respondent

For the Applicant : Shri Dharmesh Shrivastava,
Advocate.

For the Respondent/State : Shri Ashok Swarnkar, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

10.11.2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.88/2017 registered at PS- Darri, District – Korba (C.G.), for offences punishable under Section 456, 354, 323, 34 of the Indian Penal Code.
2. It is submitted by the applicant that applicant is innocent and he has been falsely implicated in this case. One FIR was lodged by the applicant against father of the complainant in this case, therefore, as a counter blast, this false and fabricated report was lodged against the applicant. Applicant is in jail since 19.08.2017, hence, the applicant prays for grant of bail.

3. Learned counsel for the State opposes the application and the submission made. It is submitted that four persons are injured in this case. Looking to the gravity of offence of this case, hence for these reasons he is not entitled for grant of bail.
4. I have heard the learned counsel for the parties and perused all the documents placed on record and the case diary.
5. As per the case against the applicant, the applicant entered the house of the complainant asking for liquor, on her refusal applicant used force to outrage her modesty and on being intervened, he assaulted the complainant and other members of the family causing simple injuries to them. The case has been investigated.
6. Considering the submission and the contents of the case diary and the fact that the applicant is in jail since 19.08.2017, he is a local resident, his availability before the trial Court shall not be compromised, if he is released on bail, hence, the applicant deserves to be enlarged on regular bail.
7. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his personal bond for a sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his appearance as and when directed.
8. Certified copy as per rules.

Sd /-
(Rajendra Chandra Singh Samant)
Judge