

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6829 of 2017**

Janki Prasad @ Guddu S/o Brijlal Viyar Aged About 21 Years R/o
Village Biroridand P. S. Kelhari District Koriya Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station
Kelhari District Koriya Chhattisgarh

---- Respondent

For the Applicant	:	Shri Shakti Raj Sinha, Advocate.
For the Respondent/State	:	Shri Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****07.12.2017**

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. 56 of 2017, registered at Police Station Kelhari, District Koriya, Chhattisgarh for the offence punishable under Sections 354, 354(A), 506, 323 and 451 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. There is no such evidence in the prosecution case against the applicant. The applicant is in jail since 15.9.2017. The case is triable by the Judicial Magistrate First Class, the applicant is a local resident 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.

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

5. The facts of the case are that on the date of incident when the complainant was alone in her residence, the applicant went into her house and used force by touching on her body and thereby outraged her modesty. Thereafter, he also threatened the complainant with life, if she disclosed about the incident to any person. On the information received, the police has registered the case, investigated and charge-sheeted. After due consideration, I am of the considered view that the applicant is a local resident whose availability can be assured by imposing some suitable conditions and the trial of the case is likely to take some time for its final disposal. On the basis of these reasons, the application is allowed.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. 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

Nimmi