

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7261 of 2017

- Pradeep Sanda S/o Sudhir Sanda, Aged About 23 Years R/o Mahamayapara, Sweeper Mohalla, Ratanpur, Police Station- Ratanpur, Civil And Revenue District Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station- Ratanpur, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. C.P. Lahrey, Advocate.
For Respondent	:	Mr. Arvind Kumar Shukla, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

15/12/2017

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.204/2017, registered at Police Station-Ratanpur, District– Bilaspur (C.G.) for the offence punishable under Sections 354 & 458 of Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. The complainant and the applicant were acquainted to each other and it was on her invitation that applicant went to her house and slapped with her. As it was declared by the maternal uncle and aunt of the complainant. The false complaint has been lodged against the applicant. He is in jail since 15.7.2017. He is ready to abide by all the conditions imposed for grant

of bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that the statement of complainant clear and categorical against the applicant, hence, he is not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. Brief facts of the case are these, that on the date of incident at about 1.30 am in the night applicant committed trace-pass into the house of the complainant and slapped by her side thereafter, he caught hold hand of the complainant because of which she woke up and raised alarm on which applicant threatened the complainant by putting a knife on her neck. After arrival of witnesses, applicant left from the spot.
6. Considering the submissions made, contents of the case diary. Taking into consideration this fact that the case is triable by JMFC and he is the local resident of the locality whose availability before the trial Court shall not be compromised if he is enlarged on bail, hence, this appears to be a fit case where the applicant should be enlarged on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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