

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1032 of 2018

- Sonu Bareth son of Budhram Bareth, aged about 23 years, resident of Village- Saigona, Police- Station-Than Khamhariya, District -Bemetara (Chhattisgarh).

---- Applicant

Versus

- State Of Chhattisgarh Through: The District- Megistrate, Police Station- Than Khamhariya, District-Bemetara (Chhattisgarh).

---- Respondent

For Applicants : Ms. Sharmila Singhai, Advocate.

For Respondent/State : Ms. Smita Ghai, Panel Lawyer.

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

10/04/2018

1. Heard.
2. 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. 209/2017, registered at Police Station- Than Khamhariya, District – Bemetara, (Chhattisgarh) for the offence punishable under Sections 354, 454, 506, of Indian Penal Code.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case, the applicant is in in jail since 13.11.2017, charge-sheet has been filed after completion of investigation, hence, as the investigation has been completed and there is no criminal

antecedents against the applicant and looking to the material present in the charge-sheet no case is made out against the applicant, hence, it is prayed that applicant be enlarged on regular bail.

4. Learned State counsel opposes the bail application.
5. Heard both the parties and perused the case diary.
6. According to the prosecution case, when the prosecutrix was alone her house, the applicant came in the house and caught hold of her hand with an intention to outrage her modesty and, when the prosecutrix raised alarm, applicant threatened and tried to assault her and ran away from the spot and thereby committed the aforesaid offences.
7. After Considering the entire material present in the case diary, as it is now that charge-sheet has been filed and trial against the applicant is still pending before the trial Court and no useful purpose would be served in keeping him in jail, hence, I am of this opinion that applicant should be benefited with grant of regular bail.
8. 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 Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge