

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1437 of 2018**

Bande Ram S/o Ram Lallu Aged About 23 Years R/o- Village- Baghdarri,
P.S. Lakhanpur, District- Surguja, Chhattisgarh., District : Surguja
(Ambikapur), Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- The Station House Officer, Police Station
Lakhanpur, District- Surguja, Chhattisgarh., District : Surguja (Ambikapur),
Chhattisgarh.

---- Respondent

For the Applicant : Shri Jitendra Shrivastava, Advocate.
For the Respondent/State : Ms. K. Tripti Rao, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****19.04.2018**

Heard.

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.183 of 2017, registered at Police Station – Lakhanpur, District – Surguja, Chhattisgarh for the offence punishable under Sections 457, 354 and 323 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 14.11.2017 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed and the trial against the applicant is still pending 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. According to the prosecution case, on the date of incident this applicant committed lurking house trespass in the house of the minor victim and outraged her modesty by using force on her. When the victim raised alarm, her sister came to intervene, then the applicant assaulted and injured the sister of the victim. After lodging of FIR, the case has been registered against this applicant.
6. After due consideration, I am of the opinion that the trial against the applicant is likely to take some time for its final disposal and no purpose would be served if the applicant is kept in detention for the whole period of trial. Hence, this application deserves to be allowed.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his 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