

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 2174 of 2018

- Laxman Dewangan S/o Pardeshi Dewangan Aged About 32 Years
R/o- Indira Colony, Pithoura, District- Mahasamund, Chhattisgarh.,
District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station Pithoura, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh.

---- Respondent

For the Applicant : Shri Kishore Narayan,
Advocate.

For the Respondent/State : Mr. Ashok Swarnakar, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

02.05.2018

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. 16/2018, registered at Police Station – Pithoura, District – Mahasamund, (C.G), for the offences under Sections 354, 352 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 01.03.2018. No case is made out against him. After completion of investigation the charge-sheet has been filed.

The applicant is ready to abide by all the conditions which may be imposed while granting bail to the applicant, hence, it is prayed that he may be released on bail.

3. Learned counsel for the State opposes the bail application and submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. In this case FIR has been lodged by the victim alleging that this applicant used to send her messages on her mobile phone expressing her love to which she objected many times. On 03.02.2018 when the victim was alone in her house he entered forcefully in her house and outrage his modesty. Hence, this case.
6. Considered on the submission and contents of the case diary, the applicant is in detention since quite some time, after filing of the charge-sheet no purpose would be served, if the, applicant is kept in detention, till the completion of the trial, hence, this Court is of the opinion that this is a fit case, where the applicant is entitled for grant of 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