

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 2262 of 2018

- Laxminath Bhardwaj S/o Late Surjoram Aged About 36 Years R/o- Village Mode P.S. Urandabeda, District- Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Police Station Urandabeda, District- Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh.

---- Respondent

For the Applicant : Shri P. K. Tulsiyan,
Advocate.

For the Respondent/State : Mr Vijay Bhadur Singh, 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 have been arrested in connection with Crime No.03/2018, (wrongly mentioned as Crime No.02/2018) registered at Police Station – Urandabeda, District – Kondagaon, (C.G), for the offences under Sections 354, 323, 452, 506/34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that this applicant has been falsely implicated in this case and he is in jail since, 13.03.2018. 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. It is alleged that on the date of incident it was holly festival and this applicant committed house trespass in house of complainant because of some dispute he assaulted and threatened Hira Lal, Rukmani, Maheshwari, Jageshwari, Priyanka, etc., while assaulting Jageshwari he torned her cloth with intention to outrage her 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

Jamal