

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2428 of 2018

- Pardesi Kurre S/o MathuRam, Aged About 40 Years, R/o- Bade Paradmuda, P.S. And Tahsil- Malkharoda, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- S.H.O. Malkharoda, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Non-applicant

For Applicant – Shri Ishwar Jaiswal, Advocate.

For Non-applicant/State – Shri Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09-05-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 8-02-2018 in connection with Crime No.36/2018 registered at Police Station Malkharoda, District- Janjgir-Champa, Chhattisgarh for the offence under Section 456, 354, 506 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 08-02-2018. No case is made out against this applicant according to the material present in the charge sheet. The trial against him is likely to take some time before its conclusion. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. As per the case, the complainant/victim is a widow lady and sister-in-law of the applicant. It is alleged that this applicant on the date of incident entered forcefully into the house of the complainant showing his intention to perform customary marriage with the complainant and when the complainant opposed,

she was threatened and assaulted by him. It is further alleged that this applicant caught hold the hand of the complainant and thus outraged her modesty. Hence, the FIR was lodged.

6. Considered on the submissions made and contents of the case diary.

7. Considering on all the facts and circumstances of this case and looking to this fact that trial against the applicant is likely to take some time before its conclusion and no purpose would be served if the applicant is kept in detention till conclusion of the trial, I am of this view that this applicant should be released on regular bail during pendency of the trial against him.

8. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge