

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3071 of 2018

- Shivdhari S/o Shobhit Aged About 19 Years Caste Uraon, R/o Anandpur, Police Station, Tahsil Premnagar, District Surajpur, Chhattisgarh, District : Surajpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Premnagar, District Surajpur, Chhattisgarh, District : Surajpur, Chhattisgarh

---- Respondent

For Applicant : Mr. Rahul Mishra, Advocate.
For Respondent : Mr. M. Asha, Panel Lawyer.

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

28/06/2018

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.03/2018, registered at Police Station– Premsagar, District– Surajpur(C.G.) for the offence punishable under Sections 354, 354-A, 324 & 326 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 19.2.2018. No case is made out against this applicant. After completion of investigation, charge-sheet has been filed. Hence, it is prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. The case of prosecution is this, that on the date of incident this applicant caught hold of the hand of the victim, when she tried to get away from him, this applicant has bitten her cheek with his teeth and cause injuries. Husband of the victim also came on the spot, at which this applicant has bitten his thumb of right hand and caused injury, hence, FIR has been lodged.
6. After due consideration all the material present in the case diary, I am of this opinion that this is a fit case where the applicant should be released on regular bail during the pendency of this case.
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