

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.3309 of 2018**

Gabbar @ Miya Chauhan S/o Sansaroo Chauhan aged about 38 years,
Occupation-Labour R/o-Village-Bandhadola, Tehsil-Pussore, District-
Raigarh (CG)

---Applicant

Versus

State of Chhattisgarh Through S.H.O. Pussore, District-Raigarh (CG)

---Non-Applicant

For Applicant	:	Mr.Amit Sharma, Advocate
For Non-Applicant	:	Mr.Ashish Surana, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

25/06/2018

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.30/2018, registered at Police Station-Pussore, District-Raigarh (CG), for the offence punishable under Sections 454 and 354 of the IPC.

2. Case of the prosecution, in brief, is that the applicant trespassed the house of the complainant and outraged her modesty and thereby committed the offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant is in jail since 5.4.2018 and charge-sheet has been filed.

4. On the other hand, learned counsel for the State would oppose

the bail application and submit that the complainant is paralysis woman.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicant and his pre-trial detention, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. 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 trial Court, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-