

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3948 of 2018

Tirth Ram Patel S/o Maheshwar Patel; aged about 27 years, R/o Village-Manakoni, Police Chowki- Girowdhpuri, Police Station Gidhowri, District (Revenue & Civil)- Balodabazar- Bhatapara (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through- Police Chowki- Girowdhpuri, Police Station-Gidhowri, District (Revenue & Civil)- Balodabazar- Bhatapara (C.G.).

---- Respondent

For Applicant	:	Mr. Sumit Jhanwar, Advocate
For Respondent	:	Mr. U.K.S. Chandel, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

26/06/2018

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 102/2018 registered at Police Chowki-Girowdhpuri, Police Station- Gidhowri, District (Revenue & Civil)- Balodabazar- Bhatapara (C.G.) for the offence punishable under Sections 376, 354, 451, 506 and 511 of IPC.
2. As per prosecution story on the date and time of incident, the prosecutrix was sitting at her court yard. The applicant entered into her house and tried to outrage her modesty. He also tried to commit forcible sexual intercourse with the prosecutrix, but when when she shouted, the applicant ran away from the spot. The matter was reported. On the basis of report, offence was registered and the applicant was arrested on 14/05/2018.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the offence is triable by JMFC, charge-sheet has already been filed, the applicant is in custody since 14/05/2018 and the trial will likely to take some more time to conclude, therefore, the applicant may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the above facts and circumstances of the case, particularly considering that the applicant is in jail since 14/05/2018, charge-sheet has already been filed and the trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 10,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-

Judge
Arvind Singh Chandel