

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4085 of 2018**

- Chhotu @ Hemkumar Nishad S/o Late Sahasram Nishad, aged about 19 years, R/o village Domuhani, P.S. Torwa Tahsil and District Bilaspur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh - Through : The Police Station, Torwa, District Bilapur.

---- Respondent

For Applicant. : Shri P.K. Tulsyan, Advocate.
 For Respondent. : Shri Vivek Sharma, G.A.

Hon'ble Shri Justice Pritinker Diwaker**Order on Board****02/07/2018**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 03.05.2018 in connection with Crime No.167/2018 registered at Police Station : Torwa District Bilaspur (C.G.) for the offence punishable under Sections 454, 354 and 354(A) of IPC.
2. As per the prosecution case, on 30.04.2018 the applicant gained entry in the house of prosecutrix, caught hold of her hands and had asked for sexual fevour.
3. Counsel for the applicant submits that on account of old dispute the prosecutrix, who is aged about 21 years, has lodged a false report against the applicant. It has been further argued that the applicant is in jail since 03.05.2018,

the offences are triable by the Magistrate, the charge sheet has been filed and, therefore, he may be released on bail.

4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, in particular the nature of allegation against the applicant, this Court is of the opinion that it is a fit case to release the applicant on bail.
7. Accordingly, the application is allowed and the accused/applicant is directed to be released on bail on his furnishing a personal bond of Rs.1,00,000/- with one surety for the like sum to the satisfaction of the concerned Court for his appearance before it as and when directed.

Sd/-

(Pritinker Diwaker)
Judge