

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4648 of 2018**

Dhelaurem Kurre S/o Raghunandan Kurre Aged About 32 Years
R/o- Tilai, Police Station And District- Janjgir-Champa, CG

---- Applicant

Versus

State of Chhattisgarh through- Station House Officer, Police of
Police Station- Janjgir, District- Janjgir-Champa, CG

---- Respondent

For applicant
For State

Mr. C.P. Lahre, Adv.
Mr. Vasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****27-8-2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested on 19-5-2018 in connection with Crime No. 287/2018 registered in police station Janjgir, Distt. Janjgir Champa (CG) for offence punishable under Sections 354, 454 of the IPC and Section 8 of the Protection of Children from Sexual Offences Act.
3. Prosecution story in brief is that the prosecutrix was more than 16 years of age on the date of incident. She is resident of village Tilai. On 18-5-2018 at about 4 pm at village Tilai, the applicant entered into the house of the prosecutrix and taking advantage of her loneliness, he used criminal force on the prosecutrix to outrage her modesty.
4. Counsel for the applicant argued that the applicant is innocent and falsely implicated hence he be released on bail.
5. On the other hand, the Panel Lawyer appearing for the State opposed the bail application.
6. Looking to the above facts and circumstances of the case,

looking to the facts that there is no likelihood of the accused to abscond and tamper the evidence, trial will take its own time, applicant is in custody since 19-5-2018, this Court is inclined to give benefit of Section 439 of the Cr.P.C. to the applicant. Consequently, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned with the condition that he will appear before the concerned trial Court at 11 AM as and when directed till trial, he be released on bail.

7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge