

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4972 of 2018**

Vyas Dahariya S/o Setu Dahariya Aged About 45 Years R/o Village Hardi,
Thana Masturi, Tahsil And District Bilaspur Chhattisgarh, District : Bilaspur,
Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station Masturi, District Bilaspur
Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Bhuvneshwar Singh Rajput, Advocate.
For the Respondent/State	:	Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****07.08.2018**

Heard.

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 of 2018, registered at Police Station – Masturi, District Bilaspur, Chhattisgarh for the offence punishable under Sections 294, 323 and 354 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 7.3.2018 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. The case against the applicant is that on the date of incident, the victim in this case was a guest in the house of the applicant where the applicant outraged her modesty by touching her physically and then he also abused and thrashed her. Hence, this case.
6. Considering the submissions and the contents of the case-diary and no purpose would be served if the applicant was kept in detention for the whole period of trial. Hence, this application is allowed.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge