

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4918 of 2018**

- Tirath Vishwakarma S/o Karan Vishwakarma Aged About 25 Years R/o Mandir Para Village Kanhargaon P. S. Bhanupartappur District North Bastar Kanker Chhattisgarh, District : Kanker, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through P. S. Bhanupartappur District Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Respondent

For Applicant	: Mr. P.K. Tulsyan, Advocate
For State/respondent	: Mr. N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****01/08/2018**

1. The bail application of this applicant is the second bail application. His first bail application has been dismissed as withdrawn vide order dated 22.06.2018 in MCRC No.3793/2018.
2. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.53/2018, registered at Police-Station-Bhanupratappur, District-Kanker(C.G.) for the offence punishable under Sections 457, 354 & 506 of the Indian Penal Code.

3. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against him. After completion of investigation, charge-sheet has been filed. The case is pending before the Court of Judicial Magistrate First Class, hence, it is prayed that he may be enlarged on regular bail.
4. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. The allegation against this applicant is this, that he committed lurking house trespass in the house of the victim and then by using force on her, outraged her modesty by putting her under threat. Hence, this case.
7. Considering the entire material present in the case diary, the trial against this applicant is likely to take some time before its conclusion, I am of this view that this is a fit case where the applicant should be released on bail during the pendency of the case against him.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that 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/-

(Rajendra Chandra Singh Samant)
Judge