

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5346 of 2018**

Tirith Ram @ Mela, S/o Jaysingh Yadav, aged about 35 years, R/o Village Karhi Kachhar, Out Post Belgahna, Police Station Kota, District Bilaspur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Out Post Belgahna, Police Station Kota, District Bilaspur (CG).

---- Non-applicant

For Applicant : Mr. Dharmesh Shrivastava, Advocate.

For Non-applicant : Ms. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****27.09.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no other bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.281/2018 registered at Police Station Kota, Out Post Belgahna, District Bilaspur for the offence punishable under Sections 354, 452, 323 of IPC and Sections 3(1)(XI), 3(1)(ब)(i)(ii) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
3. Case of the prosecution, in brief is that the prosecutrix is aged about 23 years old. She is resident of village Karhi Kachhar. On 04.07.2018 at about 4:30 pm in village Karhi Kachhar, the applicant entered into the house of the prosecutrix to outrage her modesty and

committed criminal force upon her.

4. Counsel for the applicant submits that the applicant has not committed any offence. He is innocent and has been falsely implicated in the present case and, therefore, he may be released on bail.

5. On the other hand, counsel for the State opposes the prayer for grant of bail to the applicant. However, he further submits that no criminal antecedent is reported against the applicant in the police case diary.

6. I have heard counsel for the parties and perused the case diary with utmost circumspection.

7. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes two solvent sureties each for a sum of Rs.25,000/- along with one personal bond of Rs.50,000/- to the satisfaction of the concerned Trial Court with this condition that will not involve himself in any of the crime in future, he be released on bail.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-