

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.5636 of 2018**

Vijay Kerketta, Son of Luies, aged about 36 years, resident of Amraiypara Chowki Manikpuri, Police Station Kotwali, District Korba (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Police Chowki Manikpur, Police Station Kotwali, District Korba (CG).

---- Non-applicant

For Applicant : Mr. A.S. Rajput, Advocate.

For Non-applicant : Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****19.09.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.488/2018 registered in Police Station Kotwali, District Korba for the offence punishable under Sections 354, 456 of Indian Penal Code.
3. Prosecution story in brief is that on 13.07.2018 the prosecutrix was aged about 45 years. She is resident of village Amraiypara, District Korba. On 13.07.2018 applicant has entered in the house of prosecutrix after consuming liquor and used to criminal force upon her to breach her modesty.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.
5. On the other hand, counsel for the State opposed the bail application. He further submits that previously two cases, out of which, one under Section 107 & 166 of CrPC and another under Section 354 of IPC have already been registered against him, therefore, he is not entitled for bail.

6. Looking to the above facts and circumstances of the case and offences are triable by JMFC, 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 the condition that will not involve himself in any of the crime in future, he be released on bail.

7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

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