

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5703 of 2018**

Santosh Suriyawanshi S/o Malikram Suriyawanshi Aged About 37 Years R/o- Karhipara, Nirtu, Thana- Koni, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- Station House Officer- Sakri, District- Bilaspur, Chhattisgarh

---- Respondent

For the Applicant	:	Shri Kunal Das, Advocate
For the State	:	Ms. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**30/08/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No. 196/2018 registered at Police Station Sakri, District Bilaspur (C.G.) for the offence punishable under Section 354 of IPC.
3. Case of the prosecution, in brief is that the prosecutrix is near about 22 years of old and resident of village Uslapur. On 03/07/2018 applicant had caught hold hand of the prosecutrix with intent to outrage her modesty and kiss her.
4. Learned counsel for the applicant submits that applicant is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.

6. Looking to the above mentioned facts and circumstances of the case and as per the statement of the Govt. Advocate there is no antecedent, this Court is inclined to give the benefit of Section 439 of the Cr.P.C. to the present applicant.
7. Consequently, the bail application filed under Section 439 of the Cr.P.C., is allowed. It is directed that if the applicant furnishes one solvent surety for a sum of Rs. 30,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde