

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 5839 of 2018**

Nirgu @ Nirgesh Netam, S/o. Shri Soma Ram Netam, Aged About 22 Years,
R/o. Jarandi, Police Station -Makri, District Kondagaon, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through : The Police Station Makri District
Kondagaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. P.K. Tulsyan, Advocate

For Respondent : Mr. Rahul Tamskar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****31/08/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.03/2018, registered at Police Station- Makri, District – Kondagaon (C.G.) for the offence punishable under Section 294, 506, 354, 456, 323 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 26.07.2018. Charge-sheet has been filed after completion of investigation. No case is made out against him according to the material present in the charge-sheet. Hence, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. The case against the applicant is this that on the date of incident, he by force committed house trespass in the house of the victim and then

after abusing and threatening her outraged her modesty and also assaulted and injured her. Hence, this case.

6. Considered the submissions made and the contents of the case diary. Considering on the entire material present in the case diary, now the case is before the trial Court and the case against the applicant is likely to take sometime for its conclusion, hence for this reason alone, this Court is of the opinion that present is a fit case, in which, this applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge