

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6727 of 2018**

Harishankar Rahi, S/o Shri Sammelal, Aged About 34 Years, R/o-
Tiwaripara Kharoud, Police Station- Shivarinarayan, Tahsil- Pamgarh,
District : Janjgir-Champa, Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through- The Station House Officer, Police Station-
Shivarinarayan, District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant. : Shri Rishi Rahul Soni, Advocate.
For Respondent. : Smt. M. Asha, PL for State

Hon'ble Smt. Justice Rajani Dubey
Order on Board

10/10/2018

1. The applicant has filed this *First bail application* under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.185/2018 registered at Police Station : Shivarinarayan, Tahsil - Pamgarh, District - Janjgir-Champa, (C.G.) for the offence punishable under Sections 452, 354, 509, 294 and 506 of the IPC.
2. As per the prosecution case, a written report was lodged in the Police Station by the prosecutrix alleging in it that on 13.07.2018 at about 16:00 O'clock, when she was making her baby sleep, the applicant entered the house and asked her to slept with him, caught hold of her hands and tried to outrage her modesty. When she raised alarm, the applicant fled away from the spot and after an hour, the accused/applicant again came to her house, removed

his own clothes and bolted door from inside saying that he wants to sleep with her. When she objected it, the applicant started abusing her and threatened her. Based on this, the offence was registered against the applicant and he has been arrested on 18.07.2018.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He further submits that the applicant is in custody since 18.07.2018, charge-sheet has been filed, therefore, trial will take some more time and therefore, he may be released on bail.
4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case in particular the nature of allegation leveled against the applicant and further considering the fact that the applicant is in custody since 18.07.2018, charge-sheet has been filed, trial will take some more time and the matter is triable by Judicial Magistrate First Class, this Court is of the opinion that it is a fit case to release the applicant on bail.
7. Accordingly, the application is allowed.
8. It is directed that the accused/applicant shall be released on bail on his furnishing a personal bond of Rs.50,000/- with two local sureties of Rs 25,000/- each for the like sum to the satisfaction of the concerned Court for his appearance before it as and when directed.

Sd/-
(Rajani Dubey)
Judge