

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 7390 of 2018

- Sanjay Yadav @ Arjun S/o Nehru Aged About 19 Years R/o Village Lalaiya, Patrapara, P.S. Kamleshwarpur, District - Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kamleshwarpur, Civil And Revenue District - Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Non-applicant

For Applicant	: Shri C.B. Kesharwani, Advocate.
For Non-applicant	: Shri Ashok Swarnkar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

22.11.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 30/2018 registered at Kamleshwarpur, Civil And Revenue District - Surguja (C.G.) for the offence punishable under Sections 354(b), 509(B) of the Indian Penal Code.
3. Case of the prosecution, in brief is that both the prosecutrix are resident of village Lalaiya. They were about 14 years of age. On 10.08.2018 the prosecutrix were returning back to their houses. Near Gerwahi Kenal at about 5 pm applicant, coaccused Sulendra Yadav, Ravi Shankar Yadav came in front of them. Applicant used criminal force to outrage modesty of one prosecutrix, he pressed her breast. Coaccused Sulendra Yadav also used criminal force to outrage modesty of another prosecutrix. He was lying upon her. Coaccused Ravi Shankar was picturizing video of the incident.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been 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, however, he submits that there is no antecedent against the applicant.
6. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, he will 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.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE