

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 7665 of 2018

- Jwala Joshi S/o Kartikram Joshi Aged About 20 Years R/o- Village Latuva, P.S. And Tahsil Baloda Bazar, Civil And Revenue District Baloda Bazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station- City Kotwali, Baloda Bazar, Civil And Revenue District- Baloda Bazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Adil Minhaj, Advocate.
For Non-applicant	: Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

13.11.2018

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. 575/2018 registered at Police Station – City Kotwali, Baloda Bazar, Civil And Revenue District- Baloda Bazar- Bhatapara, (C.G.) for the offence punishable under Sections 354, 452, 506 of the Indian Penal Code and Section 17 of the Protection of Children from Sexual Offences Act, 2012.
3. Case of the prosecution, in brief is that prosecutrix is near about 17 years of age and resident of village Latua. On 18.09.2018 at about 4 pm applicant entered in the house of the prosecutrix and used criminal force to outrage her modesty. Prior to it he was chasing her on the ways.
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