

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.8951 of 2018**

Aditya Lal, S/o Shri Shital Prasad, aged about 35 years, Caste Dhobi, R/o Village Govindpur, Police Station Chandraura, Tahsil Pratappur, District Surajpur (CG).
---- Applicant

Versus

State of Chhattisgarh, through Police Station Chandraura, District Surajpur (CG).
---- Non-applicant

For Applicant : Mr. Akath Kumar Yadav, Advocate.
 For Non-applicant : Mr. Neeraj Kumar Sharma, Dy.G.A.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****05.12.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.63/2018 registered in Police Station Chandraura, District Surajpur for the offence punishable under Section 354 of the Indian Penal Code.
3. Prosecution story in brief is that on 10.10.2018 the prosecutrix was aged about 30 years old. She is a resident of village Govindpur. On 10.10.2018 at about 5:30 pm. the applicant entered in her house and used criminal force upon her to outrage her modesty.
4. Counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.
5. Counsel for the State opposed the prayer for grant of bail to the applicant however, he submitted that no criminal antecedent reported against the applicant.
6. Looking to these facts and circumstances of the case, looking to the amount of consideration, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence; and the trial is likely to take some more time for its final disposal, this Court is inclined to give benefits of Section 439 of the CrPC to the applicant. Accordingly, the bail application is allowed.
7. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond in the like sum of Rs.50,000/- to the satisfaction of the concerned Trial 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 co-operate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-