

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 9076 of 2018

- Gopal Shankar Jaiswal S/o Late Tarachand Jaiswal Aged About 44 Years R/o Chhapora, Police Station- Malkharoda, District- Janjgir Champa, Chhattisgarh, At Present R/o Q. No. 45, Sinchai, Colony, Kelo Vihar, Chakradharnagar, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station- Ajak Raigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Non-applicant

For Applicant	: Shri M.K. Jaiswal, Advocate.
For Non-applicant	: Shri Neeraj Sharma, Dy. Government Advocate
For objector	: Shri Roop Naik, Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

06.12.2018

1. Heard on IA No.1/2018.
2. Looking to the facts and circumstances of the case, prosecutrix is directed to assist the Govt. Advocate.
3. IA No.1 disposed off accordingly.
4. 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.
5. Perused the case diary provided by the learned counsel for the State in connection with crime No. 3/2018 registered at Police Station – Ajak Raigarh, District- Raigarh (C.G.) for the offence punishable under Sections 354(d), 506 of the Indian Penal Code and Section 3(2)(v)(A) SCST Act.
6. Case of the prosecution, in brief is that Prosecutrix is a widow and a public servant. She is a member of Scheduled Tribe. Applicant is neither member of Scheduled Caste nor Scheduled Tribe. Applicant was harassing her. He used to say to her to commit sexual intercourse with him. One day he put vermilion on her forehead. He used to make dirty talk with her. One day he entered in her house.
7. 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.
8. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
9. 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.
10. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)
JUDGE