

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9189 of 2018**

Kirtan Pandey S/o Lalit Pandey Aged About 19 Years R/o Village Jogidadar, Post Office And Police Station Singhoda, Tahsil Saraipali, District Mahasamund Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Singhoda, District Mahasamund Chhattisgarh

---- Respondent

For the Applicant	:	Shri S. Pandya, Advocate
For the State	:	Shri S.K. Agrawal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****12/12/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.76/2018 (wrongly mentioned as the crime no. 543/2018 in the rejection order) registered at Police Station Singhoda, District Mahasamund (C.G.) for the offence punishable under Section 341, 354, 506 of IPC and 25/27 of Arms Act.
3. Case of the prosecution, in brief is that the prosecutrix is aged about 18 years old. She is resident of village Rurha. On 25/09/2018 about 09.30 a.m. prosecutrix was going to High School by bicycle, on the way applicant reached by motorcycle, stopped her, used criminal force on her outrage her modesty. On protest he shown the revolver and gave threatening to kill.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Looking to the 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 one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in such time of offence in future, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge