

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 714 of 2019**

Nakul Sahu S/o Shri Bharosaram Sahu Aged About 20 Years R/o Village
Sonpari, Mujgahan, District Raipur Chhattisgarh, District : Raipur,
Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station Mujgahan, District
Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondent

For the Applicant	:	Shri Pragalbh Sharma, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****14/02/2019**

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.235/2018 registered at Police Station Mujgahan, District Raipur (C.G.) for the offence punishable under Section 341, 354 A(1)(i), 354 D (1)(i) read with Section 34 of IPC and under Section 3(1) b(1)(ii) of SC & ST (Prevention of Atrocities) Act.
3. Case of the prosecution, in brief is that prosecutrix is about 17 years old. She is member of Scheduled Caste. She is resident of village Sonpairi. On 18/11/2018 about 1 p.m. applicant restrained prosecutrix, used criminal force on her to outrage her modesty.
4. Learned counsel for the applicant submits that he is 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 type of crime in future, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge