

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.881 of 2019**

Milan Sriwas, S/o Botelal Sriwas, aged about 21 years, R/o Village Korkoma,
Out post Rajgamar, District Korba (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Police Station Ajak, Korba, District Korba (CG).

---- Non-applicant

For Applicant : Mr. Abhijeet Sarkar, Advocate.
For Non-applicant : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

15.02.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.43/2018 registered in Police Station Ajak Korba, District Korba for the offence punishable under Sections 354A, 354D, r/w 34 of Indian Penal Code and Sections 3(2)(5)A of Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act.
3. Prosecution story in brief is that the prosecutrix was aged about 20 years old on the date of incident. She is a resident of village Vijay Nagar, Korkoma. Prior to 12.12.2018, the applicant and co-accused Tulsi Kesharwani were used to molest her and pass obscene comments upon her.
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 bail application, however, he submitted that no criminal antecedent is reported against the applicant in police case diary.
6. Looking to the above facts and circumstances of the case, the bail application is allowed. 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 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 and he shall not commit such type of offence in future.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-