

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 949 of 2019

- Udayram Sidar S/o Shivkumar Sidar Aged About 24 Years R/o Village Puthidih, Tahsil Dabhra, District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Dabhra, District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
---- Non-applicant

For Applicant	: Mr. Kamlesh Kumar Pandey, Advocate.
For Non-applicant	: Mr. SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

11.03.2019

1. 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.
2. Case diary not produced. Counsel for the applicant produced photocopy of the charge sheet.
3. The applicant has been arrested in connection with crime No. 71/2018 registered at Police Station – Dabhra, District Janjgir Champa (C.G.) for the offence punishable under Sections 458, 323 of the Indian Penal Code.
4. Case of the prosecution, in brief is that prosecutrix is about 35 years old. She is resident of village Putidih. On 05.09.2018 in the night applicant entered in her house and tried to press her throat.
5. 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.
6. On the other hand, learned counsel for the State opposes the bail application.
7. As per the photocopy of the arrest memo of the applicant which is part of the charge sheet no antecedent has been reported against the applicant.
8. 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 one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that 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.
9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE