

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 1021 of 2019

- Manoj Behra S/o Dharam Singh Aged About 40 Years R/o Village Salakhiya, P. S. Lailunga, District Raigarh Civil And Revenue District Raigarh Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Officer-In-Charge, P. S. Lailunga, Raigarh District Raigarh Chhattisgarh

---- Respondent

For Applicant	: Mr. Ashutosh Mishra, Advocate.
For Respondent/State	: Mrs. Smita Ghai, PL.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

27/02/2019

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 161/2018, registered at Police Station – Lailunga, District- Raigarh (C.G.) for the offence punishable under Sections 452,354 & 323 of the IPC.
2. In this case, prosecutrix is a girl aged about 22 years. On 11.08.2018, prosecutrix lodged a report in police station, wherein, it has been alleged that on 11.08.2018 itself at about 7 PM, the applicant went to the house of the prosecutrix and asked about her husband, thereafter, he tried to outrage her modesty and also beaten her through a club. On the basis of said report offence has been registered against the applicant and he has been taken in custody on 08.10.2018.
3. Learned Counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that due to some previous enmity a false report has

been lodged by the prosecutrix. The applicant is in custody since 08.10.2018, charge-sheet has already been filed and trial will take some time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicant is in custody since 08.10.2018, charge-sheet has already been filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge