

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1094 of 2019

- Dhaneshwar Dewangan S/o Nandlal Dewangan Aged About 26 Years R/o Badkotpara, Badebhirawand, Tahsil And District Kondagaon Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Kondagaon District Kondagaon Chhattisgarh

----Non Applicant

For the Applicant : Shri Ankur Agrawal, Advocate

For Non Applicant : Shri Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board11.04.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.289/2018 registered at Police Station- Kondagaon, District- Kondagaon (C.G.) for the offence punishable under Sections 450, 376, 345(b) of Indian Penal Code.
3. Case of the prosecution, in brief is that prosecutrix is about 22 years old. She is resident of village Badebhirawand. On 22.11.2018 at about 11:30 am at village Badebhirawand, applicant entered in her house, removed her leggis, molestate her, pressed her mouth and removed his pant and underwear also. At that time the father of the prosecutrix reached in the house. Applicant fled away from the spot.
4. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal antecedent is reported against the applicant in police case diary.
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 applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond of Rs.50,000/- 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.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul