

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1651 of 2019

- Suresh Yadav S/o Guharam Yadav Aged About 36 Years R/o Village Kurdi P. S. Arjunda District Balod Chhattisgarh At Present R/o Latabode, P. S. And Tehsil Balod District Balod Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Balod District Balod Chhattisgarh

---- Non Applicant

For the Applicant : Mr. Avinash Chand Sahu, Advocate

For Non Applicant : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board27.03.2019

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.39/2019 registered at Police Station- PS Balod, District- Balod (C.G.) for the offence punishable under Section 509 (B) of Indian Penal Code.
3. Case of the prosecution, in brief is that prosecutrix is about 16 years old. She is resident of village Khapri. On 21.01.2019 at about 9:30 am applicant had come in the house of prosecutrix, kissed her and pressed her breast. She is member of Scheduled Caste.
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 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 not commit such type of crime in future, he shall be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul