

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.1912 of 2019**

Dwarika Dahariya, S/o Prahlad Dahariya, aged about 33 years, R/o Khauna, Police Station Dharsiwa, District Raipur (CG). ---- **Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Dharsiwa, District Raipur (CG). ---- **Non-applicant**

For Applicant : Mr. B.L. Sahu, Advocate.

For Non-applicant : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****04.04.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.539/2018 registered in Police Station Dharsiwa, District Raipur for the offence punishable under Sections 354, 354(B), 506 of Indian Penal Code.
3. Prosecution story in brief is that on 20.12.2018 the prosecutrix was aged about 28 years old. She is a resident of village Khauna. On 20.12.2018, the applicant, who is her brother-in-law and used to criminal force upon her body to outrage her modesty.
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 further submitted that three criminal cases, out of which, one case under Excise Act and two cases under IPC have already been registered against the applicant in police case diary.
6. Looking to the above mentioned 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/- each 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 involve any such type of crime in future.
7. Certified copy as per rules.

Sd/-**(Sharad Kumar Gupta)****JUDGE**

L/-