

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.1913 of 2019**

Manoj Kumar Jangde, son of Gambhir Prasad Jangde, aged about 38 years,
R/o Village Kosla, Police Station & Tahsil Pamgarh, District Janjgir Champa
(CG). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Pamgarh,
District Janjgir Champa (CG). **---- Non-applicant**

For Applicant : Mr. Yogeshwar Sharma, Advocate.
For Non-applicant : Mr. S.R.J. Jaiswal, 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.17/2019 registered in Police Station Pamgarh, District Janjgir Champa for the offence punishable under Sections 354(A), 354, 454 of Indian Penal Code.
3. Prosecution story in brief is that on 13.01.2019 the prosecutrix was aged about 29 years old. She is a resident of village Kosla. On 13.01.2019 at about 4:00 p.m., the applicant had entered in her house 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 no criminal antecedent is reported against the applicant in police case diary.
6. 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; and the trial is likely to take some more time for its final disposal, this Court is inclined to give benefits of Section 439 of the CrPC to the applicant. Accordingly, the bail application is allowed.
7. 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.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-