

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 2490 of 2019

- Mahesh Kumar Sahu S/o Anand Ram Sahu Aged About 22 Years R/o I.T. I. Rampur, Korba District Korba Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate, Korba District Korba Chhattisgarh

----Non Applicant

For the Applicant : Shri Anil Gulati, Advocate

For Non Applicant : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board26.04.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant 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.37/2019 registered at Police Station- Outpost Rampur, Police Station Kotwali, District- Korba (C.G.) for the offence punishable under Sections 354, 294, 323, 506 of Indian Penal Code.
3. Case of the prosecution, in brief is that prosecutrix is about 20 years old. She is resident of village Patharipara. On 16.01.2019 at about 11:00 am in village Patharipara applicant abused her, he was taking her by pulling, he beat her by hands and fists.
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.
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, he shall be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul