

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2483 of 2019**

Mahendra Gabel S/o Shankar Lal Gabel, Aged About 33 Years R/o Darrabhanta, Police Station Malkharauda, District Janjgir - Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- **Applicant**

Versus

State Of Chhattisgarh Through The District Magistrate, District Janjgir - Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh .

---- **Respondent**

For the Applicant	:	Shri S.K. Guha, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****25/04/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.214/2018 registered at Police Station Malkharauda, District Janjgir-Champa (C.G.) for the offence punishable under Section 354, 294, 506 and 323 of IPC.
3. Case of the prosecution, in brief is that prosecutrix is about 30 years old. She is resident of village Darrabhatha. On 27/09/2018 at about 6.30 p.m. applicant used criminal force on body of prosecutrix to outrage her modesty. When her husband intervened applicant abused and gave threats to kill. He caused the injury near the eye of her husband by brick.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Looking to the above mentioned 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 the applicant furnishes two solvent sureties each for a sum of Rs. 25,000/- along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in any of the crime in future, he be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge