

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3412 of 2019

Nandkumar Nishad, S/o. Shambhuram Nishad, Aged About 24 Years, R/o. Gram Hardi, Caste Kewat, Police Station Chura, Tehsil and District Gariyaband Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : The Police Station Chura, Gariyaband Chhattisgarh.

---- Respondent

For Applicant	: Mr. S.S. Baghel, Advocate
For Respondent/State	: Mr. Aadil Minhaz, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

03/07/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.65/2019, registered at Police Station – Chura, District – Gariyaband (C.G.) for the offence punishable under Section 354 (A), 456 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 11.04.2019. Charge-sheet in this case has been filed after completion of investigation. Therefore, it is prayed that the applicant be granted regular bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. Victim in this case has lodged FIR making statement that this applicant committed house trespass and then outraged the modesty by using force on her body. Hence, this case.
6. Considered on the submissions made and the contents of the case diary. Considering the material present in the case diary, the trial against the applicant is likely to take sometime, and the applicant is in jail since 11.04.2019, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge