

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 3622 of 2019**

- Pramod Gupta @ Kukku, Kishori Lal Gupta, Aged About 40 Years, R/o Village Khutahan Para Baikunthpur, District Korea Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

**---- Applicant**

**Versus**

- State of Chhattisgrh, Through Police Station Baikunthpur, District Korea Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

**----Non-applicant**

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For Applicant – Shri Pragalbha Sharma, Advocate.

For Non-applicant/State – Shri Lav Sharma, Panel Lawyer.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**09-07-2019**

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 16-05-2019 in connection with Crime No.89/2019 registered at P.S. - Baikunthpur, District Korea, Chhattisgarh for the offence under Section 354 & 354(A) of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 16-05-2019. Charge sheet has been filed after completion of the investigation. Therefore, it is prayed that the applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that looking to the statement given by the prosecutrix, the applicant is not entitled for grant of bail.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, on the date of incident the applicant with intention to outrage modesty of the victim used criminal force and touched her in objectionable manner and also forced her to touch himself. Hence, this

case.

6. Considered on the material present in the case diary. For the reason that the case is now before the trial Court and there is all likelihood that the trial will take some time before its conclusion, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

**(Rajendra Chandra Singh Samant)**  
**Judge**