

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3782 of 2019

- Jagdish Kumar Yadav S/o Vasudev Ram Yadav, Aged About 20 Years, R/o Bangaon(B), Police Station Bagbahar, District Jashpur, Presently residing at Indira Nagar, Bada Bazar, Chirmiri, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police of Police Station Ajak, Baikunthpur, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Non-applicant

For Applicant – Shri Anil Gulati, Advocate.

For Non-applicant/State – Shri Adil Minhaj, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-07-2019

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 03-05-2019 in connection with Crime No.11/2019 registered at P.S. - Ajak, Baikunthpur, District Koriya, Chhattisgarh for the offence under Section 354, 354(B), 456 of the IPC and Section 3(1)(W) (i)(ii), 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 03-05-2019. The allegations in the FIR are totally false, which have been made on account of previous enmity. Therefore, it is prayed that the applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, on the date of incident at about

12:30 in night, this applicant committed lurking house-trespass in the house of the victim who was sleeping with her husband and lay down beside her and then he outraged her modesty by use of physical force. Hence, this case.

6. After considering entire material present in the case diary and for the reason that the case is now pending for trial before the trial Court and there is likelihood of delay in conclusion of the same, 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