

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3855 of 2019

- Vicky @ Vikram Rao, S/o Late Gajpati Rao, Aged About 29 Years R/o Sanjay Nagar, Mahaveerpur, Police-Station-Jaynagar, District-Surajpur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police-Station-Dhaupur, District- Surguja, Chhattisgarh.

---- Respondent

For Applicant : Mr. D.K. Vishwakarma, Advocate.

For Respondent : Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

30/07/2019

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.30/2019 registered at Police Station– Dhaurpur, District– Surguja(C.G.) for the offence punishable under Sections 452, 354(B), 294, 506 & 323 of the Indian Penal Code & Sections 7 & 8 of Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 27.05.2019. No case is made out against him, he has been falsely implicated because of the previous enmity connected with property and financial dispute. Charge-sheet has been filed in this case, hence,

it is prayed that he may be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to prosecution case, on the date of incident the applicant committed the house trespass in the house of the minor victim and then by using physical force outraged her modesty. When the minor victim raised alarm, the applicant abused her and also threatened her. Hence, this case.
6. After considering the entire material present in the case diary and the case is now pending for trial before the trial Court, for this reason, I feel inclined to allow the application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge