

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3953 of 2019

- Lal Ji Nishad, S/o Shri Sharda Nishad, Aged About 32 Years, R/o Village-Chhatera, Police-Station-Arang, District-Raipur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police-Station-Arang, District-Raipur Chhattisgarh.

---- Respondent

For Applicant : Mr. Pushpendra Kumar Patel, Advocate.

For Respondent : Mr. Vimlesh Bajpai, Govt. Advocate.

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.261/2019 registered at Police Station–Arang, District–Raipur(C.G.) for the offence punishable under Sections 456, 354(A) of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against him. Charge-sheet has been filed, after completion of investigation, 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, the applicant is maternal brother-in-law of the victim in this case. It is alleged, that on the date of incident, he committed the house trespass into the room of the prosecutrix and then by use of physical force outraged her modesty.
6. Considering that now the case is pending before the trial Court for trial and there is likelihood of delay in conclusion of the same, 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