

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4344 of 2019**

Gangaram S/o Situ Yadav Aged About 27 Years Occupation Labour R/o Village Bhauthideeh, Police Station And Tahsil Jaijaipur, Civil And Revenue District Janjgir Champa Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Jaijaipur, District Janjgir - Champa Chhattisgarh.

---- Respondent

For the Applicant : Shri Deepak Kumar Singh, Advocate.
For the Respondent/State : Shri Kapil Maini, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****14.08.2019**

Heard.

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.58 of 2019, registered at Police Station – Jaijaipur, District – Janjgir-Champa, Chhattisgarh for the offence punishable under Sections 452, 354 and 342 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 10.6.2019 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. The applicant has not committed any offence.

After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, on the date of incident, the applicant committed house trespass in the house of the victim and thereafter, on the point of a knife he took her to a room and closed the doors and then outraged her modesty by using physical force. Hence, this case.

6. Considering the fact that the case is now pending for trial before the trial Court and no purpose would be served if the applicant was kept in detention for the whole period of trial, therefore, I feel inclined to grant bail to the applicant in this case.

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. In case any default is committed by the applicant/s in appearing

before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi