

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4803 of 2019

- Umesh Sahu S/o Gautam Sahu Aged About 23 Years R/o Village Jhinkadah, Police Station And Tahsil Khairagarh, District Rajnandgaon Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Post Khairagarh, District Rajnandgaon Chhattisgarh.

---- Respondent

 For Applicant : Shri Abhishek Pandey, Advocate
 For Respondent/State : Ms. Reena Singh, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

14.8.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.241/2019, registered at Police Post, Khairagarh. District Rajnandgaon(CG) for the offence punishable under Sections 323, 354, 452 of the IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
3. As per the case of prosecution, the prosecutrix lodged a report that on 5.7.2019, she was sleeping in her house, at that time, the applicant consumed liquor and came to her room and tried to outrage her modesty and when she resisted, he assaulted her.
4. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in the case. The

prosecutrix has come up with cooked story against the applicant. He submits the applicant is in jail and trial will take some time for its final disposal, therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE