

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5142 of 2019

Balram, S/o. Biharilal, Aged About 19 Years, R/o. Village Parasgadhi, P. S. Manendragarh, District Koriya Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : Station House Officer, P. S. Manendragarh District Koriya Chhattisgarh.

---- Respondent

For Applicant	: Mr. Shakti Raj Sinha, Advocate
For Respondent/State	: Mr. Roshan Dubey, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

18/09/2019

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.187/2019, registered at Police Station –Manendragarh, District – Koriya (C.G.) for the offence punishable under Section 354, 506, 34 of the Indian Penal Code and Section 8 of POCSO Act, 2012.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant according to the material present in the case diary. The applicant is in jail since 22.06.2019. Investigation in this

case is nearly complete. Therefore, it is prayed that the applicant be granted regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case on the date of incident, this applicant by use of physical force outraged the modesty of the victim and then also threatened to kill her regarding which FIR has been lodged.
6. Considered on the submissions made and the contents of the case diary. As it appears that there is no need of any continuous detention of the applicant and the investigation in this case is near completion, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge