

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5273 of 2019

- Preetam Kumar Mishra S/o Rakesh Mishra, Aged About 32 Years, R/o Laxmanpur, Bhathapara, Police Station and Tahsil Chhuikhadan, District Rajnandgaon, Chhattisgarh, Permanent R/o Village Bhothli, Police Station Bakarkatta, Tahsil Chhuikhadan District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police of Police Station Chhuikhadan, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

----Non-applicant

For Applicant – Shri Abhishek Sharma, Advocate.

For Non-applicant/State – Shri Avinash K. Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

20-09-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 02-07-2019 in connection with Crime No.172/2019 registered at P.S. - Chhuikhadan, District Rajnandgaon, Chhattisgarh for the offence under Section 354, 354(A)(1)(i), 354(A)(1)(ii), 323, 506 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 02-07-2019. The applicant has not committed any offence. Charge sheet has been filed in this case. Therefore, it is prayed that the application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. The FIR has been lodged by the victim of this case that on the date of incident the applicant outraged her modesty and then also had beaten her on

her chest. Thereafter, he also assaulted the victim with hands and threatened her.

6. Considering that the charge sheet has been filed in this case and the case is now pending for trial, no purpose would be served if the applicant is kept in continuous detention, therefore, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge