

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5580 of 2019

- Akshay Kumar Nishad S/o Bhukhau Ram Aged About 22 Years
Caste Kewat R/o Village Bogar Tahsil Bhanupratappur District
U.B. Kanker Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police
Station Bhanupratappur, District U. B. Kanker Chhattisgarh.,

---- Respondent

For Applicant	: Shri Raj Kumar Pali, Advocate
For Respondent/State	: Shri R.S.Baghel, Dy.AG

Hon'ble Smt. Justice Rajani dubey

Order On Board

21/11/2019

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.140/2019 registered at police station Bhanupratappur, District Uttar Bastar, Kanker (CG) for the offence punishable under Section 354 IPC.

Case of the prosecution in brief is that a report was lodged by the complainant that when his daughter was going to her work in a bicycle, applicant snatched her mobile and threw her on the ground and also tried to sexually assault her.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime. He submits that the applicant is in jail

since 03.08.19; the charge sheet has been filed; offence is triable by Judicial Magistrate First Class and looking to the conduct of the prosecution, it is clear that the trial will take time for its conclusion and therefore he may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge