

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6022 of 2019**

- Ashish Pandey, son of Ashok Pandey, aged about 23 years, resident of Surya Chowk Chingrajpara, Police Station Sarkanda, Tehsil and District Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Sarkanda, District Bilaspur (C.G.)

---- Respondent

For Applicant	:	Shri Umakant Singh Chandel, Adv.
For Respondent	:	Shri Akhtar Hussain, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****24/10/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.704/2019, registered at Police Station – Sarkanda, District Bilaspur (C.G.) for the offence punishable under Sections 454, 354, 323 and 506 of IPC.
2. The prosecution story, in brief, is that on 01.08.2019 at about 5.00 pm, when the prosecutrix was in her house, the applicant entered her house, assaulted her, caught hold of her hand and tried to outrage her modesty. On hearing the cries of the victim, her sister also came there with whom the applicant also committed maarpeet. Based on this, offence has been registered. Present applicant has been taken into

custody on 29.08.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant was having love affair with the prosecutrix and her brother came to his house and threatened him. He also submits that the applicant is in custody since 29.08.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, and further considering the fact that the offence is triable by Judicial Magistrate First Class, the applicant is in custody since 29.08.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Judge