

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6173 of 2019**

- Rakesh Kumar Suryavanshi, son of Bhairam Suryavanshi, aged about 20 years, resident of village Mohatarai (Koshtapara), P.S. Ratanpur, District Bilaspur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through : Station House Officer, Police Station Ratanpur, Civil and Revenue District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Pradeep Kumar Jogi, Advocate
For Respondent	:	Shri Anil Tripathi, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****07/11/2019**

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.256/2019, registered at Police Station - Ratanpur, Civil and Revenue District Bilaspur (C.G.) for the offence punishable under Section 354 IPC.
2. The allegation against the applicant is that while the prosecutrix was returning from school, on the way, the applicant met with her, put proposal of marriage saying that he loves her very much and tried to outrage her modesty. Based on this, offence has been registered. Present applicant has been taken into custody on 25.07.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that Section 356 IPC is not attracted as the applicant never tried to outrage the modesty of the

prosecutrix and she has exaggerated her statement. He also submits that the present applicant is in custody since 25.07.2019, 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 applicant is in custody since 25.07.2019, the offence is triable by Judicial Magistrate First Class 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