

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6477 of 2019**

- Mohan Yadav S/o Shri Indro Yadav, by Caste – Mahakul, aged about 28 years, R/o village Palidih (Dhaniyapara), Thana & Tahsil Patthalgaon, Civil & Revenue District Jashpur (C.G.)

---- Applicant**Versus**

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

---- Respondent

For Applicant	:	Shri Sunil Sahu, Adv.
For Respondent	:	Shri Wasim Miyan, 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.116/2018, registered at Police Station – Patthalgaon, District Jashpur (C.G.) for the offence punishable under Sections 457, 354, 294, 323 and 427 of IPC.
2. The prosecution story, in brief, is that a report was lodged by the complainant alleging therein that on 12.05.2018 at night, the applicant entered the room of complainant, tried to outrage her modesty and also broke some articles kept in the room. Based on this, offence has been registered. Present applicant has been taken into custody on 18.09.2019.
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 complainant is a lady who is engaged in selling illicit liquor and the quarrel took place on some trivial issue in which she raised allegation of outraging her modesty against the applicant. He also submits that the applicant is in custody since 18.09.2019, charge sheet has not 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 18.09.2019 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