

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9315 of 2018**

- Santosh Tandon S/o Late Padumlal Tandon, aged about 60 years, R/o Village Dhanganwa, Police Chowki Malhar, Tahsil Masturi District (Revenue and Civil) Bilasplur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through Police Chowki Malhar, Police Station – Masturi, District- Bilaspur (C.G.)

---- Respondent

For Applicant : Shri Anand Kesharwani, Advocate.

For Respondent/State : Shri Adil Minhaj, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**04/01/2019**

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 427/2018, registered at Police Station – Masturi, District- Bilaspur (C.G.) for the offence punishable under Section 354 (क), 354 (ग), 323, 294 & 506 of the IPC.
2. In this case applicant is the father-in-law of the complainant/prosecutrix who is a married lady. As per prosecution story, on 18.09.2018, a written report was made by the complainant/prosecutrix, wherein it has been alleged that present applicant always tried to outrage her modesty when her husband went outside from the house. On 18.09.2018 at about 7 PM when her husband was not in the house, the applicant along with other co-accused person entered in her house and assaulted her and also abused her. On the basis of above, offence has been registered. The applicant is in custody since 08.10.2018.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that the Applicant is in custody since 18.10.2018 and trial will take some time. Therefore, he may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant is in custody since 18.10.2018 and 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 executing a personal bond for a sum of Rs. 20,000/- 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/-
(Arvind Singh Chandel)
Judge