

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9432 of 2018

- Domeswar S/o Chandramohan Sahu Aged About 25 Years R/o Village Baghul Tahsil And Police Station Nawagarh Distdric Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer ,police Station Nawagarh District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh

---- Non-applicant

For Applicant	: Shri Pradeep Singh Rathore, Advocate.
For Non-applicant	: Shri Ramakant Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

04.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 249/2018 registered at Police Station- Nawagarh District Bemetara (C.G.) for the offence punishable under Sections 354, 323 of the Indian Penal Code.
3. Case of the prosecution, in brief is that the prosecutrix is near about 25 years old. She is resident of village Baghul. On 01.11.2018 about 11 am she was gong to her field for harvesting soyabean crop. On the way applicant caught hold of her waist, pressed her breast, threw her down on earth, torn her blouse.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)
JUDGE