

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 127 of 2019

- Santosh Kumar Sahu S/o Uaderam Sahu Aged About 45 Years Caste- Sahu, R/o Village- Adil, Police Station- Malkharauda, Civil And Revenue District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District- Magistrate, District- Janjgir- Champa, Chhattisgarh. Through Police Station- Malkharauda., District : Janjgir-Champa, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Deepak Kumar Singh, Advocate.
For Non-applicant	: Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

31.01.2019

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. 241/2018 registered at Police Station – Malkharauda, District – Janjgir Champa (C.G.) for the offence punishable under Sections 354, 354(A)(1)(i), 354(D)(1)(i), 323 of the Indian Penal Code.
3. Case of the prosecution, in brief is that prosecutrix is about 23 years old and resident of village Adil. On 21.10.2018, at about 6:30 am at village Adil applicant demanded sex from her and used filthy words, caught hold of her hand.
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