

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9994 of 2018

- Jairam S/o Pransingh Kanwar Aged About 46 Years R/o Village Kosamsara, Ps And Tahsil Kasdol, District- Balodabazar-Bhatapara, Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh Through The PS Kasdol, District- Baloda Bazarbhatapara, Chhattisgarh.

---- Respondent

For Applicant	: Shri KP Sahu, Advocate.
For Respondent/State	: Shri Alok Nigam, Government Advocate.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

17/01/2019

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. 420/2018, registered at Police Station Kasdol, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 354, 456 & 506 of the IPC.
2. In this case prosecutrix is a lady aged about 30 years. As per the prosecution story, on 20.08.2018 at about 1:30 AM, the applicant after breaking the lock of the door entered in the house of the complainant/prosecutrix and tried to outrage her modesty. On the basis of above, report has been made by the prosecutrix herself. On the basis of said report, offence has been registered against the applicant. The applicant is in custody since 26.11.2018.
3. Learned counsel appearing on behalf of the applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that due to some previous enmity a false

report has been lodged by the complainant/prosecutrix, the applicant is in custody since 26.11.2018 and trial will take some time, therefore, the applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicant is in custody since 26-11-2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant 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. 10,000/- with one local solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge