

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 644 of 2020**

- Devanand Agariya S/o Muneshwar Agariya, aged about 21 years, R/o village Seviri, Loharpara, Police Station Rajpur, District Balrampur - Ramanujganj (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Rajpur, District Balrampur-Ramanujganj (C.G.)

---- Respondent

For Applicant	:	Shri Nitesh Shrivastava, Adv.
For Respondent	:	Shri Akhtar Hussain, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****13/03/2020**

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.258/2019, registered at Police Station - Rajpur, District Balrampur - Ramanujganj (C.G.) for the offence punishable under Sections 354 and 456 IPC.
2. The prosecution story, in brief, is that complainant/victim made a written report at Police Station Rajput alleging therein that on the date of incident at about 11.00 PM, the applicant entered her house and caught hold of her hands with intent to outrage her modesty. When she woke up and raised alarm, the applicant flee from the spot. Based on this, offence has been registered. The present applicant has been taken into custody on 09.12.2019.
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 applicant is habitant of same locality

and both of them knew each other. The only allegation against the applicant is that he caught hold of her hand. He also submits that the applicant is in custody since 09.12.2019, he is ready to furnish adequate surety and shall abide by all the directions and conditions which may be imposed by the Court. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 09.12.2019 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, till the final disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge