

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 722 of 2020

- Sanket @ Shanku Chandrakar S/o Rajesh Chandrakar, Aged About 19 Years R/o Sikolabata, Premnagar, Durg, District - Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Mohan Nagar, Durg, District - Durg Chhattisgarh.,

---- Respondent

For Applicant	: Shri Sanjay Kumar Agrawal, Advocate
For Respondent/State	: Smt. Reena Singh, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

16/03/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.438/2019 registered at police station Mohan Nagar, Durg, District Durg (CG) for the offence punishable under Sections 354,342,506 and 34 IPC.

As per prosecution case, on 01.12.2019, when the complainant was attending the call of co-accused Piyush, her uncle Deepak Sharma warned her. Thereafter on 08.12.2019, in the evening at about 6.30 pm, the applicant along with Piyush came to the house of complainant in a motor bike and were shouting that they will kill said Deepak Sharma and when he came out, co-accused Piyush slapped

him and caught hold the hand of the complainant with an intention to outrage her modesty.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the applicant is in jail since 10.12.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact and the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail subject to the following conditions :

- i) the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- ii) the applicant shall appear before the trial court on each and every date given to him by the said Court till the disposal of the trial.

Sd/-

(Rajani Dubey)
Judge