

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1444 of 2020**

Daitari Kond, S/o Jagdish Kond, aged about 50 years, R/o Village Lendhrajori,
Police Station Dongripali, Tahsil Baramkela, District Raigarh (C.G.) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, through District Magistrate, Raigarh, District Raigarh
(C.G.)

----Respondent

For Applicant	: Mr. Lalit Jangde, Advocate.
For Respondent /State	: Mr. Vimlesh Bajpai, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****13/05/2020**

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 32/2019 registered at police Station Dongripali, District Raigarh (C.G.) for the offence punishable under Section 354 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that present applicant outraged the modesty of the major complainant and thereby committed the aforesaid offence.

(3) Counsel for the applicant submits that the applicant has falsely been implicated in the crime in question as there is no evidence available on record to connect the applicant with the crime in question. He further submits that applicant is languishing in jail since 17.08.2019, charge sheet has already been filed and as the trial is likely to take some time for its final disposal, applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Taking into consideration the nature and gravity of the offence, in particular, the fact that applicant is in detention since 17.08.2019 and the charge sheet has already been filed; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court till disposal of the trial.

(7) It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

(8) Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

