

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3533 of 2020**

- Sheikh Imran, aged about 28 years, S/o- Sheikh Gulam Mustfa, R/o – Idgahbhatha, Police Station- Azad Chowk, District- Raipur (C.G.).

---- Applicant (in Jail)**Versus**

- State Of Chattisgarh Through: Station House Officer, Police Station- Azad Chowk, District Raipur (C.G.).

---- Respondent

For Applicant	:	Ms. Smita Jha, Advocate.
For Respondent/State	:	Shri H. S. Ahluwalia, Dy. A.G.

Hon'ble Shri Gautam Chourdiya, J
Order

10/07/2020

1. Heard on admission.
2. The application is admitted for hearing.
3. With the consent of the parties, the matter is heard finally through Video Conferencing.
4. The applicant has preferred this application under Section 439 of Cr.P.C. as he is in jail since 21.02.2020 in connection with Crime No. 49/2020 registered in Police Station- Azad Chowk, District- Raipur (CG) for the offence punishable under Sections 451, 354, 506 of IPC.
5. Allegation against the applicant is that on 26.11.2019 at about 11.45 pm the applicant entered the shop of the complainant, caught hold of her hands and tried to outrage her modesty. On *hue & cry* being raised by the complainant, the applicant having threatened the

complainant of life fled from there. On report being lodged by the complainant on 21.02.2020, offence under Sections 451, 354 & 506 of IPC has been registered against the applicant.

6. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this crime. She also submits that in this case chargesheet has already been filed, the applicant is languishing in jail since 21.02.2020 and conclusion of trial is likely to take some time. Therefore, it is prayed to release him on bail.

7. On the other hand, learned counsel for the State opposes the bail application.

8. Having heard learned counsel for the parties, considering the fact that the chargesheet has already been filed and the applicant is in jail since 21.02.2020, without expressing any opinion on merits of the case, this Court is of the opinion that present is a fit case for grant of bail to the applicant. Accordingly, **the application is allowed**. It is directed that in the event of applicant executing a personal bond for a sum of Rs.25,000/- with two sureties for the like amount to the satisfaction of the concerned Trial Court, he shall be released on bail. He is directed to appear before the trial Court on each and every date given to him by the said Court, till disposal of the trial.

9. It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-

(Gautam Chourdiya)
Judge