

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4906 of 2020**

- Deepak Bharti son of Hem Lal Bharti, aged about 26 years, R/o Village Bhasera, Police Station Fingeshwar, District Gariyaband (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through- Station House Officer, Police Station- Fingeshwar, District Gariyaband (C.G.)

---- Respondent

For Applicant.	:	Mr. Raghvendra Pradhan, Advocate.
For Respondent/State	:	Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03.09.2020**

1. The applicant has filed this first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 108/2020 registered at Police Station Fingeshwar, District Gariyaband (C.G.) for the offence punishable under Sections 294, 323, 354 (D), 354, 457, 509 of the IPC.
2. As per the prosecution case, the allegation against the present applicant is that on 30.06.2020, he hurled abuses and caught hold the hand of prosecutrix. It is further alleged that prior to the incident on 27.01.2019 at about 12.00 AM also, he entered the house of prosecutrix and tried to outrage her modesty. Based on that, after investigation, offence has been registered against the applicant and he has been arrested.
3. Learned counsel for the applicant submits that the applicant is

innocent and has been falsely implicated in the crime in question. He further submits that there was a previous dispute between the parties and prior to the incident, brother-in-law of the complainant including other person had committed mar-
peet with the present applicant and lodged a false report against the applicant. He next submitted that as the applicant is in jail since 06.07.2020 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

4. On the other hand, State counsel strongly opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the submission of the counsel, nature and gravity of the offence, facts and circumstances of the case, as applicant is in jail since 06.07.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**