

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9166 of 2020

- Ramesh Sing @ Bablu S/o Adheen Sing Aged About 25 Years R/o Vilage- Gadbad P.S. Baikunthpur, District Koriya, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through S. H. O. Police Station Baikunthpur, District Koriya, Chhattisgarh.

---- Respondent

For Applicant	: Shri Avinash Chand Sahu, Advocate
For Respondent/State	: Shri Vimlesh Bajpai, G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

17/12/2020

- 1) Heard on admission.
- 2) The application is admitted for hearing.
- 3) With the consent of the parties, the matter is heard finally.
- 4) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 26.09.2020 in connection with Crime No.249/2020 registered at Police Station Baikunthpur, District- Koriya (C.G.) for the offence punishable under Section 354, 354 (B), 354 (D), 341/34 of I.P.C.
- 5) The allegation against the present applicant is that on 21.09.2020 at around 7.15 p.m. near Kaumhadand Ghat, when the complainant was returning to her village Gadbad after attending meeting of her company the present applicant alongwith two other accused namely Arjun and Ranjit came there on motor cycle and try to outrage her modesty. Based on the above complaint, aforesaid offence has been registered against the applicant and other co-accused persons.

- 6) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question, he has not committed any offence. He further submits that the co-accused has already been granted bail by the trial Court on 28.11.2020. It is also submitted that FIR was lodged after five days of the incident and that the charge sheet has been filed and the applicant is in jail since 26.09.2020. He further submits that trial is likely to take some time for its final disposal. Therefore, the applicant be released on bail by this Court.
- 7) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 8) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, looking to the fact that co-accused has already been released by the trial Court and the fact that F.I.R. has been lodged after five days of the incident and the present applicant is jail since 26.09.2020 and trial is likely to take some time for its final disposal, the application is allowed. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs. 25,000/- each 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