

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7344 of 2019**

- Aashish Khairwar @ Butru S/o Shri Krishna Ram Aged About 28 Years R/o Village Rajpur, Police Station Rajpur, District Balrampur-Ramanujganj, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Incharge, Police Station Rajpur, District Balrampur-Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Manoj Mishra, Advocate
For Respondent-State	:-	Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board**09/01/2020**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing his on regular bail during trial in connection with Crime No. 194/2019 registered at Police Station - Rajpur, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 354, 452, 506 of the IPC.
- The prosecution story, in brief, is that incident took place on 27.08.2019 and the complaint was lodged on the same date against the applicant. Applicant try to outrage the modesty of prosecutrix by entering in

her bathroom put off his cloth when she was taking bath. Based on this , offence has been registered. The present applicant has been taken into custody on 28.08.2019.

- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that complaint has been lodged by prosecutrix due to mala fide intention because there are some dispute between family of applicant and prosecutrix. As the applicant is in jail since 28.08.2019 and he is ready to furnish adequate surety and shall abide by all the directions and conditions which may imposed by this Court, the present applicant may be released on bail.
- On the other hand State counsel strongly opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering the fact that he is in jail since 28.08.2019 and as 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.
- 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

Ankit