

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8081 of 2019**

- Manish Devdas (Gada) Son Of Late Ram Singh Devdas (Gada) (Wrongly Written As Man Singh) Aged About 25 Years R/o Barbhatha, P.S. Fingeshwar, Tahsil Rajim, District Gariyaband Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Office, Police Station Fingeshwar, District Gariyaband Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Raghvendra Pradhan, Advocate.
For Respondent/State	:	Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10.02.2020**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 178/2019 registered at Police Station – Fingeshwar, District Gariyaband (C.G.) for the offence punishable under Sections 456, 354, 376, 342 of IPC.
2. The allegation against the present applicant, as per the written reported made by prosecutrix, the present applicant, who is a friend of prosecutrix' husband, entered the house of prosecutrix and outraged her modesty. Based on that, 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 case. He next submits that the prosecutrix have filed an application of

having compromise with the accused before the trial Court and she has also said in her affidavit that she do not have any objection. Applicant is in jail since 13.09.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, therefore, the present applicant may be released on bail.

4. Per contra, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, age of the prosecutrix and further considering the affidavit filed by the prosecutrix regarding the compromise before the trial Court, as the applicant is in jail since 13.09.2019 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 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**

Vijay Sahu