

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 592 of 2021**

- Ishwar @ Vipul @ Angad Yadav S/o Late Shri Rajendra Yadav Aged About 20 Years (Wrongly Mentioned Anand Yadav) R/o Saksharata Chowk, Behind Mazar, Camp - 1, Bhilai, Chhawani, Durg, District Durg (Chhattisgarh) (Detail Has Not Been Mentioned In The Impugned Rejection Order Of The Learned Court Below), District : Durg, Chhattisgarh
---- **Applicant**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Chhawani, District Durg (Chhattisgarh).---- **Non-applicant**

For Applicant : Mr. C.R. Sahu Advocate.

For State : Mr. C.B . Kesharwani, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****12-03-2021**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as he is in jail since 24-11-2020 in connection with Crime No.639 of 2020 registered at Police Station Chhawani, District Durg (CG) for the offence punishable under Sections 294, 506, 323 and 354 of IPC.
2. Allegation against the present applicant is that on 21-11-2020 at about 6.30 pm when the complainant was alone in her house, at that time the applicant entered into her house, abused her by threatening to commit murder and tried to outrage her modesty. On the basis of the report lodged by the complainant, applicant

was arrested.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He would further submit that charge sheet has been filed, applicant is in jail since 24-11-2020 and conclusion of the trial is likely to take some time for its final disposal, therefore he may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application. However, he submits that that the applicant has no criminal antecedent except the present one.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, nature of offence, looking to the material available on record, the detention period of the applicant, charge sheet has been filed and the fact that the applicant has no criminal antecedent and there is no apprehension of the applicant tampering with the evidence or absconding as admitted by both the counsel, and that conclusion of trial may take some time, without commenting anything on merits of the case, I am of the opinion that it is a fit case to grant bail to the applicant.
7. Accordingly, the application is allowed and it is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs25,000/- each to the satisfaction of the concerned trial Court. He shall

appear before the trial Court on each and every date given by the said trial court, till disposal of the trial. The applicant is being granted bail on the following conditions:

- i. he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
- ii. he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- iii. he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- iv. he 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 this court.

Sd/-

(Gautam Chourdiya)
Judge

Raju