

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1989 of 2021

Kailash Yadav, S/o. Shri Trilochan Yadav, Aged About 30 Years, By Caste Mahakul, R/o. Village Raghunathpur, Thana & Tahsil Patthalgaon, Civil & Revenue District Jashpur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Patthalgaon, District Jashpur Chhattisgarh

---- Respondent

For Applicant : Mr. Sunil Sahu, Advocate

For Respondent : Mr. Anmol Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

ORDER

06.07.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who have been arrested in connection with Crime No.47/2021 registered at Police Station Patthalgaon, District Jashpur, for the offence punishable under Sections 452, 354, 294, 506/34 of Indian Penal Code.
2. As per the prosecution case, on 17.02.2021 a report was made by the complainant that the applicant along-with one Manoj Yadav came to their house searching for the husband of the complainant and thereafter abused the complainant and tried to outrage her modesty.
3. Learned counsel for the applicant would submit that on the basis of previous enmity, false report has been lodged as there have been other cases are pending in between the parties. He further submits that the applicant is in jail since 28.02.2021, the charge sheet has

been filed and no further investigation is required; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and he read out the statement under Section 161.
5. Considering the nature of allegation and the fact that the charge sheet has been filed and the applicant is in jail since 28.02.2021, I am inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge