

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2480 of 2021

- Heeraman Kosre S/o Late Ankalha Ram Kosre Aged About 47 Years R/o Village Naya Karela, Tehsil Khairagarh, District Rajnandgaon, Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Khairagarh, District Rajnandgaon, Chhattisgarh, District : Rajnandgaon, Chhattisgarh

----Non-applicant

For Applicant – Shri Pawan Kumar Kashyap, Advocate.

For State/Non-applicant – Smt. Fouzia Mirza, Additional Advocate General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

17-05-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 04-03-2021 in connection with Crime No.92/2021 registered at P.S. - Khairagarh, District Rajnandgaon, Chhattisgarh for the offence under Section 354 D, 509, 509B of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 04-03-2021. All the allegations made by the complainant are totally false. Charge sheet has been filed. Therefore, it is prayed that the applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that the complainant in this case has made clear allegation against this applicant looking to which he is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the documents.

5. According to the prosecution case, the complainant had some dispute with her husband. This applicant approached the complainant to help her for resolving the dispute. It was during this period this applicant made undue

advances towards the complainant, by sending her messages regarding which the complainant had objection. On one occasion the applicant and the complainant both had been to Bilaspur for engaging counsel, subsequent to which it is alleged by the complainant, that the applicant has floated rumors and made defamatory statement in public to show that he and the complainant have some kind of relationship. Hence, the FIR has been lodged.

6. Considered on the submissions. As the investigation in this case is complete and the case is pending for trial, therefore, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Vacation Judge