

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3103 of 2021**

- Parmesh @ Parmeshwar Sahu, S/o Late Maniram Sahu, aged 36 Years, R/o Shitlapara, Navapara, Opposite Rajkumar Collage, Police Station - Gobra Navapara, District Raipur, Chhattisgarh.

**----Applicant****Versus**

- State of Chhattisgarh, Through - Station House Officer, Police Station - Gobra Navapara, District Raipur, Chhattisgarh.

**---- Non-applicant**


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| For Applicant | Shri Devershi Thakur, Advocate.        |
| For State     | Shri Adil Minhaj, Government Advocate. |

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**Hon'ble Shri Justice Gautam Chourdiya****Order on Board****09/07/2021**

1. The matter is heard through Video Conferencing.
2. The applicant has preferred this application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.119/2021 registered at Police Station Gobra Navapara, District Raipur, C.G. for the offence punishable under Sections 456 and 354 of Indian Penal Code.
3. As per the prosecution case, on 30.03.2021 at about 10:00 pm applicant committed house trespass in the house of the prosecutrix and tried to outrage her modesty. On report being lodged to the above effect, the aforesaid offence have been registered against the applicant.

4. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He also submits that no offence was committed by the applicant. Applicant is in custody since 01.04.2021, charge sheet has already been filed and conclusion of the trial is likely to take some time. Therefore, he may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Heard learned counsel for the parties.
7. Considering the facts and circumstances of the case, the nature of allegation against the applicant, detention period of the applicant, who is 36 years old, charge sheet has already been filed, the fact that the applicant has no criminal antecedents and there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel and conclusion of trial may take some time, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the concerned trial Court, he shall be released on 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 strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- (v) he shall not involve himself in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicant involving himself in similar offence in future.

Sd/-  
Gautam Chourdiya  
Judge

Akhilesh