

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6516 of 2021**

- Neelam Vaishnav S/o Shri Kishore Vaishnav, Aged About 35 Years R/o Village Ward No. 1 Kesla, P.S. Kharora, District (Revenue) And (Civil) Raipur, Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Tilda-Neora, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	Mr. Yogesh Pandey, Advocate
For Respondent/State	Mr. CB Kesharwani, Panel Lawyer
For Respondent /Objector	Mr. RK Gupta, Advocate

Hon'ble Shri Justice Gautam Chourdiya
Order On Board**25/10/2021**

1. Heard.
2. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.190/21 registered at Police Station Tilda-Neora, Raipur, District Raipur (CG) for the offence punishable under Sections 354, 452, 506, 323 of the IPC.
3. The allegation against the applicant is that on the date of the

incident i.e. on 21.6.2021 at about 1:00 pm, the applicant entered into the house of the prosecutrix and started committing obscene act with her. On hearing the voice of the prosecutrix, when the other members of her family reached the place of occurrence, he threatened to kill the prosecutrix and left the house. Again in the night, at about 11:00 PM, the applicant went to the house of the prosecutrix and threatened her.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He also submits that the applicant has no criminal antecedents, there is no likelihood of the applicant tampering with the prosecution evidence or absconding, he is in jail since 22.6.2021 and trial is likely to take some time for its final disposal, therefore, the applicant may be released on bail by this Court.
5. On the other hand, learned counsel for the State as well as learned counsel for the objector oppose the bail application.
6. Considering the facts and circumstance of the case, the nature of allegations levelled against the applicant, looking to the age of the applicant i.e. 35 years as also that the charge sheet has already been filed 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, without expressing any opinion on the merits of the case, this Court is inclined to release the applicant on regular bail.

7. It is directed that in the event of applicant executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court, he shall be released on bail, on 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/her 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.

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 nature of offence.

Sd/-
(Gautam Chourdiya)
Judge

Shyna