

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7298 of 2020

- Bhagat Ram Sahu, aged about 23 years, S/o Ramraj Sahu, (Wrongly mentioned as resident) R/o Gandai (Pandariya), Ward No.1, Police Station Gandai, Tahsil Chhuikhadan, District Rajnandgaon (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through – Station House Officer, Police Station – Gandai, District Rajnandgaon (C.G.)

---- State/Non-applicant

For Applicant	:	Shri Abhishek Sharma, Advocate
For Non-Applicant/State	:	Shri Dinesh Kumar Tiwari, Deputy Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J
Order on Board

06.01.2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 14.09.2020 in connection with Crime No. 96/2020 registered in Police Station- Gandai, District Rajnandgaon (CG) for the offence punishable under Section 354 of IPC.
2. Prosecution case is that on 25.06.2020, the prosecutrix lodged the written report in Police Station Gandai stating that on the same day at about 10:30 am, when she went for taking water from the public tap, at that time the applicant caught hold of her hand with intention to outrage her modesty. When she shouted, the applicant ran away from the spot.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he is languishing in jail since 14.09.2020, charge-sheet has been filed and conclusion of the trial is likely to take some time. Therefore, the applicant be released on bail
4. On the other hand, learned counsel for the State opposes the bail

application.

5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the detention period of the applicant, he has no criminal antecedents as admitted by both the counsel and the fact that charge-sheet has already been filed and conclusion of the trial may take some time, without expressing any opinion on merits of the case, the application is allowed. 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. The applicant is directed to appear before the trial Court on each and every date given to him by the said Court, till disposal of the trial.
6. It is made clear that the applicant 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 the Bench.

Sd/-

(Gautam Chourdiya)
Judge