

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7363 of 2021**

- Sunil Shrivastava S/o Late R.L. Shrivastava Aged About 47 Years Resident of Quarter No. 53-A, Ruabandha Sector, Bhilai, Tahsil And District Durg, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Bhilai Nagar, District Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Ajeet Kumar Yadav, Adv.
For Respondent/State	:	Mr. Anurag Verma, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****29/10/2021**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 395/2021 registered at Police Station-Bhilai Nagar, District - Durg (C.G.) for the offence punishable under Sections 354, 506, 509-A and 451 of the IPC.
2. The prosecution story, in brief is that, on 31.08.2021 the prosecutrix lodged a report alleging therein that on 20.07.2021, the applicant who is relative of the prosecutrix, came to her house caught hold her hand with intention to outrage her modesty, prosecutrix raised alarm then her mother-in-law came there and the applicant ran away from there. Based on this, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in

question. He further submits that the alleged offences are triable by Magistrate and the applicant is in jail since 03.09.2021, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant that he is in jail since 03.09.2021, and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**