

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7777 of 2021

Rajendra Patel S/o Shri Gyan Lal Patel, Aged About 21 Years R/o Village Kotadabri (Champa) P.S. And Tahsil Champa, District Janjgir Champa Chhattisgarh
----- **Applicant**

Versus

State Of Chhattisgarh Through S.H.O., P.S. Champa, District Janjgir Champa Chhattisgarh.
----- **Non-Applicant**

For Applicant: Shri Ravindra Sharma, Advocate.
For Non-Applicant/State : Ms. Seema Dixit, Panel Lawyer.

Hon'ble Shri Justice Deepak Kumar Tiwari

Order on Board

25.10.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the Applicant, who has been arrested in connection with Crime No.252/2021 registered at Police Station – Champa, District – Janjgir-Champa, Chhattisgarh for the offence punishable under Sections 294, 354, 452, 506 & 323/34 IPC.
2. Prosecution case in brief is that on 11.09.2021, the Applicant called the brother of the Complainant namely Anurag Ratre near the railway station, Akaltara and assaulted him along with his friend Pramod Kurrey. When the complainant tried to stop the Applicant while trying to save her brother, he along with the co-accused tried to outrage her modesty by using filthy language.
3. Learned counsel for the Applicant submits that the Applicant is the brother-in-law (*jija*) of the Complainant and due to some personal dispute that arose between them, the Applicant has been falsely implicated in the

crime in question. He further submits that the victim has also filed an affidavit and has no objection if the Applicant is granted bail, therefore, it is prayed that the Applicant may be released on bail.

4. Per contra, learned Counsel for the State opposed the bail application.

5. Considering the facts and circumstances of the case, looking to the period of detention, the offence is triable by the Judicial Magistrate, First Class and that the trial of the case is likely to take sometime for its conclusion, I am inclined to grant regular bail to the Applicant.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. It is directed that the Applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed. In case any default is committed by the Applicant in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Deepak Kumar Tiwari)
Judge

Priya