

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8702 of 2020**

- Gendlal S/o Late Rajaram Aged About 30 Years R/o Village - Sonraga, Police Station - Patna, District - Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh, Through - Police Station Patna, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Respondent

For Applicant	:	Shri Gyan Prakash Shukla, Advocate.
For Respondent	:	Shri Ishwari Ghrilahre, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26.03.2021**

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. 219/2020 registered at Police Station-Patna, District Koriya, (C.G.) for the offence punishable under Sections 294, 341, 354 of the IPC.
2. The prosecution story, in brief, is that, a written report has been lodged by the prosecutrix alleging that applicant had tried to outrage her modesty. 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 there is no material evidence against the present applicant and the offence is triable by Judicial Magistrate First Class. The applicant is in jail since 05.10.2020, 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 and submits that the applicant did a serious offence; therefore, he may not be released on bail.
5. I have heard learned counsel for the parties and perused the records.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the offence is triable by Judicial Magistrate First Class, 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 solvent 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 to be given to him by the said Court.
8. Certified copy as per rules.

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