

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7965 of 2021**

1. Satyendra Baghel, S/o Dwasram Baghel, Age about 21 years, R/o Ward No.11, Karhi PS Birra, District Janjgir-Champa (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through the District Magistrate, PS Birra, District Janjgir Champa (CG)

---- Non-Applicant

For Applicant	: Miss Supriya Upasane, Advocate.
For Non-Applicant	: Shri Akhtar Hussain, Panel Lawyer.
For Complainant	: Shri PM Shriwas, Advocate.

Hon'ble Shri Deepak Kumar Tiwari, J**Order On Board****27/10/2021 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.100/2021 registered in Police Station Birra, District Janjgir Champa for offence under Section 354 & 323 of the IPC.
2. Case of the prosecution, in brief, is that on 21.9.2021 when the prosecutrix went to attend the call of nature, the applicant came and assaulted her with intent to outrage her modesty. When the prosecutrix tried to save herself, he stabbed on her neck with sharp weapon.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated. There was love affair between the present applicant and the prosecutrix. The applicant is preparing for Higher Secondary School Certificate Examination and is in jail since 23.9.2021 and conclusion of trial may take some more time, therefore, the applicant may be released on bail.

4. On the other hand, learned State Counsel and learned counsel for the Complainant would oppose the bail application on submission that since the accused/applicant has caused injury to the victim, looking to the nature of case, the application deserves to be rejected.
5. Considering the facts and circumstances of the case, particularly the fact that the complainant has also filed photographs showing love affairs with the present applicant, the applicant is aged about 21 years, the length of pre-trial detention and that the offences are triable by the Judicial Magistrate 1st Class, this Court is inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.10,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
(Deepak Kumar Tiwari)
Judge

Barve