

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8953 of 2020

1. Dakeshwar Sarpar S/o Purshottam, Aged About 32 Years, R/o Tarun Nagar Colony Temri, Police Station Mana Camp, District Raipur (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh, Through Station House Officer, Police Station Mana Raipur, District Raipur (C.G.).

---- Respondent

For Applicant	: Shri Awadh Tripathi, Advocate.
For Respondent/State	: Shri Sameer Uraon, Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

11/01/2021

- 1) This is the First Bail Application filed under Section 439 of Code of Criminal Procedure, 1973 by the applicant for grant of bail as he is in custody since 16/11/2020 in connection with Crime No. 163/2020 registered at Police Station Mana Raipur, District Raipur (C.G.) for the offence under Sections 354 of IPC.
- 2) Case of the prosecution, in brief is that a report was lodged by the prosecutrix on 15/11/2020 at Police Station Mana Camp, Raipur that on the said date at 09:30 hours while she was standing outside her house, the applicant came there and with intent to outrage her modesty caught hold of her hand and started dragging her. On report being lodged to the above effect, offence under the aforesaid section has been registered against the applicant.
- 3) Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that the applicant has no criminal antecedents, applicant

is in jail since 16/11/2020 and conclusion of the trial is likely to take some time. Therefore, the present applicant be released on bail.

- 4) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 5) Heard learned counsel for the parties.
- 6) Considering the facts and circumstances of the case, the nature of allegation against the applicant, he is in jail since 16/11/2020, that he has no criminal antecedents as admitted by both the counsels, charge sheet has been filed and fact that the trial is likely to take some time for disposal, without commenting anything 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. He 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.
- 7) 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 stands cancelled without further reference to the Bench.

-Sd/-
(Gautam Chourdiya)
Judge

Chandrakant