

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9204 of 2020**

- Sudama Prasad Sahu S/o. Shyam Lal Sahu Aged About 47 Years R/o Chinddand, P.S. Baikunthpur, Distt. Koria (Chhattisgarh), District : Koriya (Baikunthpur), Chhattisgarh
---- **Applicant**

Versus

- State of Chhattisgarh Through Station House Officer, Baikunthpur, Distt. Koria (Chhattisgarh), District : Koriya (Baikunthpur), Chhattisgarh
---- **Non-applicant**

For Applicant	:	Mr. Ajay Ayachi, Advocate.
For State	:	Mr. Vaibhav Singh, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****28-01-2021**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as he is in jail since 2-11-2020 in connection with Crime No.199 of 2020 registered at Police Station Baikunthpur, District Koriya(CG) for the offence punishable under Sections 354, 354-A and 506 of IPC.
2. The case of the prosecution, in brief, is that on 5-8-2020 when she went to the field, applicant came there, caught her hand and thereafter tried to outrage her modesty, thereby the aforesaid offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He would further

submit that the charge-sheet has been filed, present applicant is in jail since 2-11-2020, trial is likely to take some time for its final disposal, therefore he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application and would submit that apart from the present case, one other criminal case for offence punishable under Section 34 (2) of CG Excise Act, in connection with Crime No. 232 of 2020 has been registered against the present applicant, therefore, he is not entitled to be released on bail.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, nature of allegations made against the applicant, charge-sheet has been filed and there is no likelihood of the applicant tampering with the evidence or absconding and that conclusion of trial may take some time, without commenting anything on merits of the case, I am of the opinion that it is a fit case to grant bail to the applicant.
7. Accordingly, the application is allowed and it is directed that the applicant shall be released on bail on his 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 appear before the trial Court on each and every date given by the said trial court, till disposal of the trial. The applicant is being granted bail on the following conditions:

- i. he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
- ii. he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- iii. he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- iv. he shall not involve himself in any offence of similar nature in future.

Sd/-

(Gautam Chourdiya)

Judge

Raju