

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9464 of 2020

1. Nurul Hasan Ansari S/o Late Abdul Majid Ansari, Aged About 43 Years, Occupation Job, R/o Village Godhanpur, Police Station - Gandhinagar, District Surguja (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh, Through - S.H.O. Police Station Mahila Thana, Ambikapur District Surguja (C.G.).

---- Non-Applicant

For Applicant	:	Mr. Jitendra Shrivastava, Advocate.
For Non-Applicant/State	:	Mr. Vaibhav Singh, Panel Lawyer.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

03/02/2021

- 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 10/12/2020 in connection with Crime No. 51/2020 registered at Police Station Mahila Thana, Ambikapur District Surguja (C.G.) for the offence under Sections 354, 354(A)1(i)(ii) of IPC.
- 2) Case of the prosecution, in brief is that on 01/12/2020 when the prosecutrix was moving out of the class after submitting answer sheet of class-12th Supplementary Examination answer sheet, the applicant who is PTI Teacher, having found her alone made indecent advancement towards her and tried to outrage her modesty and told her that if she wanted to pass the said examination she should meet him in solitude.
- 3) Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. The applicant is in jail since 10/12/2020, charge sheet has been filed 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 detention period of the applicant, the fact that incident took place on 01/12/2020 whereas the FIR lodged on 09/12/2020, the offence is triable by Judicial Magistrate First Class, the applicant has no criminal antecedents as admitted by both the counsel, charge sheet has already been filed and 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 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 or else this order granting bail to the applicant shall automatically stand cancelled without further reference to this Court.

Let a copy of this order be forwarded to the concerned Police Station forthwith who shall inform the trial Court in the event of applicant involving himself in similar offence in future.

-Sd/-
(Gautam Chourdiya)
Judge