

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3287 of 2015**

- Laxmidas, S/o Dharamdas, aged about 28 years, Caste Panika, R/o Village – Bahirkela, Thana & Tah. Gharghoda, Civil & Revenue Distt.- Raigarh, District Raigarh (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through: Police Station – AJAK, District Raigarh (C.G.)

---- Respondent

For Applicant: Shri Anant Bajpai, Advocate.

For Respondent/State: Shri Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****14/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 12/2015 registered at Police Station –AJAK, Distt. Raigarh for the offences punishable under Sections 354 (A)(D) of the Indian Penal Code & Section 3(1)(xi) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989.

(2) Case of the prosecution, in brief, is that the applicant is alleged to have sexually harassed the prosecutrix; and also used to follow her knowing fully well that she is member of Scheduled

Tribe and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the crime in question as has not committed any offence. He further submits that applicant is in jail since 16.6.2014; and charge sheet is yet to be filed but substantial investigation has already been made and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; further considering the role of the present applicant in the crime in question; and the facts that applicant is in jail since 16.6.2014; and charge sheet is yet to be filed but substantial investigation has already been made; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on her executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. She is directed to appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)

Judge

