

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6980 of 2015**

1. Raja Pathan @ Moienuddin S/o Sheikh Nijamuddin Aged About 30 Years R/o Ward No. 19 Subhash Chowk, Rajhara, Dalli Rajhara District Balod Chhattisgarh
2. Chankya Sen S/o Human Sen Aged About 23 Years R/o Ward No. 19 Subhash Chowk, Rajhara, (Dalli Rajhara) District Balod Chhattisgarh
3. Nassu Pathan @ Naseeruddin S/o Sheikh Nijamuddin Aged About 28 Years R/o Ward No. 19 Subhash Chowk, Rajhara, Dalli Rajhara District Balod Chhattisgarh
4. Jasvinder Singh @ Lado S/o Late Satnam Aged About 25 Years R/o Ward No. 19 Ambedkar Nagar, Rajhara, (Dalli Rajhara) District Balod Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through : Station House Officer, Police Of
Police Station Rajhara (Dalli Rajhara) District - Balod Chhattisgarh

---- Respondent

For applicants - Shri B.P. Singh, Advocate.
For Respondent/State – Shri U.K.S. Chandel, PL.

Hon'ble Shri Justice Goutam Bhaduri**Order****16/12/2015**

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 51/2015 registered in Police Station Rajhara, (Dalli Rajhara) District Balod (C.G.) for offence punishable under section 294, 506-B, 323, 307 and Section 354/34 of Indian Penal Code.
2. As per the prosecution case the applicants jointly assaulted one Vishal when a dispute took place in between the applicants and the complainant.
3. Learned counsel for the applicants submits that applicants are innocent and applicants were also beaten by the complainant wherein

they have been granted anticipatory bail by the coordinate bench and one of them got regular bail. He submits that considering the nature of allegations as on the basis of dispute as alleged that the girl to whom applicants tried to outrage the modesty was objected has not supported the case of the prosecution. Therefore, since the dispute arose in between the parties, therefore applicants may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail and he would submit that against applicant No.1, 5 criminal cases are registered, against applicant No.2, 2 cases are registered and against applicant No.4 one case is registered.

5. I have perused the case diary and also perused the statement of Neha Makhija under Section 161 of Cr.P.C. wherein it is stated that the applicants tried to outrage the modesty of Neha which was objected by the complainant and thereon complainant were brutally beaten. Considering the nature of allegation made and the way the offence has been committed and also considering the background of the applicants, this court is not inclined to release the applicants on bail.

6. Accordingly, the bail application is dismissed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE