

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7087 of 2015

Tekram Yadav, S/o Aasharam Yadav, Aged About 22 Years, R/o Bandhamuda, Police Station- Gourela, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Gourela, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Yogendra Chaturvedi, Advocate
For Respondent/ State	:-	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 303/2015 registered at Police Station- Gourela, District – Bilaspur (C.G.) for the offence punishable under Section 354/34 of IPC and 3(1)(11) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.
2. As per the prosecution case on 24.09.2015 at about 6.00 o'clock at village Bandatola, the applicant along with other co-accused came to the prosecutrix and thereafter caught hold of her and thereafter tried to outrage her modesty and after raising alarm by the prosecutrix they fled away from the scene.
3. Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case. He further submits that the other co-accused person namely Bhagat Lal Yadav has already been granted bail by this High Court in M.Cr.C. No. 6770

of 2015 on 09.12.2015 and the present applicant may also be entitled for bail on the ground of parity.

4. Per contra, counsel for the State though opposes the bail application but does not dispute the averment made by the counsel for applicant after verifying the facts.
5. Having regard to the fact that the applicant is in jail since 06.10.2015 and also the fact that the similarly placed co-accused person has already been enlarged on bail by this court in M. Cr.C. No 6770 of 2015 on 09.12.2015, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Goutam Bhaduri)
Judge