

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Criminal Case No.4686 of 2015

Islam Khan, S/o Lal Mohammad Khan, age 28 years, R/o Village Kapu,
Thana Kapu, Civil and Revenue Distt. Raigarh, Distt. Raigarh (C.G.)
---- Applicant

Versus

State of Chhattisgarh, Through Police Station Kapu, Distt. Raigarh (C.G.)
---- Non-applicant

For Applicant: Mr. Sanjay Agrawal, Advocate.

For Non-applicant: Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

08/09/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.45/2015 {Special Case No.28/2015 pending in the Court of Special Judge (Atrocities), Raigarh}, registered at Police Station Kapu, Distt. Raigarh, for the offence punishable under Sections 456, 354A, 506, 323 of the IPC and 3 (1) (xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. Case of the prosecution, in brief, is that on 6-6-2015, the applicant entered into the house of tribal complainant and outraged her modesty and also caused simple injuries to her.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case and as such, he is in jail since 13-6-2015. Charge-sheet has been filed.
4. On the other hand, learned State counsel opposes the application and

submits that torn clothes have been seized.

5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicant, pre-trial detention of the applicant and the fact that charge-sheet has been filed, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge