

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4100 OF 2015**

1. Om Prakash Sahu S/o Makhan Sahu aged 20 years R/o Vill Sarekha, P.S. Kawardha Dist. Kabirdham (C.G.)
2. Raghevendra Verma S/o Ramfal Verma aged 32 Years R/o Sukhatal, P.S. Kawardha, Dist. Kabirdham (C.G.)

---Applicants**Versus**

State of Chhattisgarh Through : Station House Officer, Kawardha Dist. Kabirdham (C.G.)

---Non-applicant

For Applicants	:	Mr. Ajay Ayachi, Advocate
For Non-applicant	:	Mr. Anant Bajpai, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****18/08/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 191/15, registered at Police Station Kawardha Dist. Kabirdham (C.G.), for the offence punishable under Sections 354, 452/34 of I.P.C.
2. Case of the prosecution, in brief, is that, on 06/07/2015, applicants entered into the house of complainant and outraged her modesty.
3. Learned counsel for the applicants would submit that applicants have not committed any offence and have been falsely implicated in offence in question. He would further submit that there is no evidence to connect the applicants in crime in question. He would further submit that no custodial

interrogation is required and there is no useful purpose would be served by keeping them in jail. He would lastly submit that charge sheet has been filed and applicants are in jail since 07/07/2015, therefore, they may be released on bail.

4. On the other hand, learned State counsel would submit that offence under Section 354 of the I.P.C. is made bailable.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicants in offence in question and pretrial detention of the applicants, this Court is of the opinion that present is the fit case, in which, applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Code of Criminal Procedure is allowed.

8. It is directed that applicants, namely, Om Prakash Sahu and Raghevendra Verma, shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE