

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6604 of 2015

- Vidyashanker Aditya @ Vidyut, S/o Bharatlal Aditya, Aged About 40 Years, Occupation Jindal Employee, R/o Khalhepara Tamnar, Tah. Gharghoda, Distt. Raigarh, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through S.H.O., P.S. Tamnar, Distt. Raigarh, Chhattisgarh.

--- Respondent

For the applicant	:	Mr. Amit Singh, Advocate
For the Respondent	:	Ms. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.12.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 214 of 2015 registered at P.S. Tamnar, District Raigarh (C.G) for the offence punishable under Section 451, 354(B) of IPC.
2. As per the prosecution case, on 24.10.2015 the applicant along-with other co-accused entered into the house of prosecutrix and thereafter caught hold of her hand and tried to pull out her *Saree* and when she raised her voice hearing the same her husband and sister came and thereafter the applicant fled away from the scene.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and in fact he went to the house of complainant for collecting the outstanding amount owed by the husband of prosecutrix from him and it would not be possible for the applicant to intrude into the

house when her husband was in the house and the applicant has been wrongly inculpated in the case. He further submits that the charge sheet has been filed and the applicant is in jail since 24.10.2015. Therefore he prays for releasing the applicant on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Having regard to the evidence available against the applicant and the fact that charge sheet has already been filed and considering the the detention of the applicant as also gravity of allegations, I am inclined to enlarge the applicant on bail.
6. Accordingly, this application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He is directed to appear before the said Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE