

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6735 of 2015

Ramesh @ Bhola, son of Baliram Sahu, aged about 30 years, resident of Village Kadampara, Limtara, P.S. Masturi, Distt. Bilaspur (C.G)

... **Applicant**

Vs.

State of Chhattisgarh, through Station House Officer P.S. Masturi, Distt. & Revenue Distt. Bilaspur (C.G)

... **Respondent**

For the applicant	:	Mr. Rajkumar Gupta, Advocate.
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.12.2015

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 275/2015 registered at Police Station Masturi, Distt. Bilaspur (CG) for the offence punishable under section 456, 354 (A) & 509 IPC & Section 3(1)(11) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act 1989.
2. As per the prosecution case, in the night of 08.09.2015 at about 2.00 a.m., the applicant in a state of bare body entered into the house of prosecutrix while she was sleeping and committed sexual misconduct/misbehavior with her and when she called her husband, the applicant ran away.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and nothing has been committed with the prosecutrix. He further submits that the applicant is in jail since 22.09.2015. therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. I have perused the statements of prosecutrix under Sections 161 &

164 Cr.P.C.

6. Having regard to the nature of allegations and taking into the fact that the charge sheet has been filed in this case and looking to the detention period of the applicant, I am inclined to release the applicant on bail.
7. Accordingly, this bail petition is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.
8. Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

Rao