

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 192 of 2016

Dhansay @ Ghanshyam Hirwani S/o Gautam Hirwani Aged About 28 Years Caste Satnami; R/o Village Pendrawan; Police Station Sarsiwan; District (Rev. & Civil) District Baloda Bazar - Bhatapara Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Sarsiwan; District (Rev. & Civil) - Balodabazar - Bhatapara Chhattisgarh.

---- Respondent

For applicant -Shri Anand Kesharwani, Advocate.
For Respondent/State – Shri Sangarsh Pandey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

27/01/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 225/2015 registered in Police Station Sarsiwan, District (Revenue & Civil)- Balodabazar-Bhatapara (C.G.) for offence punishable under section 354-A of Indian Penal Code.
2. As per the prosecution case on 1/11/2015 victim went to fetch water from the borewell at that time applicant came there caught hold of her and forced her to lie down on the floor and on being resisted saree and blouse were torn, thereby the applicant tried to outrage modesty of the victim.
3. Learned counsel for the applicant submits that because of the previous enmity the applicant has been falsely implicated as the time of incident was 6'o clock in the morning wherein other persons were also present and therefore can be assumed that he has been falsely implicated in the case. He submits that charge sheet has been filed and no further evidence is required, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. I have perused the case diary and the statement. Considering the facts and circumstances of the case, degree of allegation, taking into fact that charge sheet has been filed and applicant is in jail since 3/11/2015, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE