

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Criminal Case No.398 of 2016

P. Shrinu Rao @ Kala Nag @ Ravi, S/o P. Prasad Rao, aged about 29 years, R/o Zone-2, Street No.27, Quarter No.1A, Near Lord Hanuman Temple, Khursipar, Bhilai, Civil & Revenue District Durg (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through District Magistrate, Durg, District Durg (C.G.)

---- Non-applicant

For Applicant:	Mr. Sanjay Agrawal, Advocate.
For Non-applicant:	Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

03/02/2016

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.341/2015, registered at Police Station Khursipar, Bhilai, Distt. Durg for the offence punishable under Sections 354, 354A (1), 456 and 323 of the IPC.
2. Case of the prosecution, in brief, is that on 7-10-2015 in the mid night, the applicant unauthorizedly trespassed the house of the complainant and not only sexually harassed her, but also outraged her modesty and thereby committed the above-stated offences.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the crime. The applicant is in jail since 10-10-2015, he has no criminal antecedents and as such, he be released on bail.

4. On the other hand, learned State counsel opposes the application and submits that one more crime number bearing Crime No.340/2015 is also pending consideration against the applicant for offence under Sections 354A (1) and 456 of the IPC. The applicant is a habitual criminal and cases are pending consideration against him, as such he is a hardened criminal and bail should not be granted to him.
5. Learned counsel for the applicant further submits that all cases against the applicant have been closed and only Crime No.340/2015 and the instant one are pending against him.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, considering the fact that one more criminal case of Crime No.340/2015 for offence under Sections 354A (1) & 456 of the IPC is pending consideration against the applicant and looking to the criminal antecedents of the applicant, I am not inclined to grant bail to the applicant. Consequently, the application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge