

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2944 of 2016

- Deepak Yadav S/o Shri Vasudeo Yadav Aged About 24 Years
R/o Near Om Rice Mill Bhothali Road Kurud, Thana & Tahsil
Kurud, Civil & Revenue District Dhamtari, Chhattisgarh.

---- Petitioner

Versus

- State of Chhattisgarh Through Station House Officer, Police
Station City Kotwali, Civil & Revenue District Dhamtari,
Chhattisgarh.

---- Respondent

For the applicant	:	Mr. Sunil Sahu, Advocate
For the Respondent	:	Mr. Sumit Jhawar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.06.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.50 of 2016 registered at P.S. City Kotwali Dhamtari, Distt. Dhamtari (C.G) for the offence punishable under Section 456 & 354 of IPC and Section 3(1)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. As per the prosecution case, on 28.01.2016 at about 7.30 p.m., while the victim girl while was all alone in her room the applicant knocked the door and when the door was opened the applicant forcibly entered into the room, caught hold of the hand of the prosecutrix and dragged her. Subsequently when the victim raised alarms the other persons came there and nabbed the applicant.
3. Learned counsel for the applicant submits that the applicant

is in jail since 19.02.2016 and the statement of prosecutrix has already been recorded and looking to the degree of allegations levelled against the applicant, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the statements of the prosecutrix. The incident is said to have taken place on 28.01.2016 and the FIR was lodged on 19.2.2016.
6. Taking into the delay in filing the FIR and looking to the degree of allegations levelled against the applicant as also the fact that no further investigation is necessary and the applicant is stated to be in jail since 20.02.2016, I am inclined to release the applicant on regular bail.
7. Accordingly, the bail 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 shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE