

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3292 of 2016

- Dr. Neelkanth Sahu S/o- Late Chinta Ram Sahu Aged About 72 Years By Caste - Teli, R/o - Indira - Chowk, Infront of Vaishali Nagar School, Ram Nagar, Sahu - Clinic, Police Station - Supella, Bhilai, Tahsil - Bhilai, Civil & Revenue Distt. & Distt. Durg Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh S/o Through Police Station - Supela, Tahsil - Bhilai, Civil & Revenue Distt. & Distt. Durg Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Jameel Akhtar Lohani , Advocate
For the Respondent	:	Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05.07.2016

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. 423 of 2016 registered at P.S. Supela, Distt. Durg (C.G) for the offence punishable under Section 354(a) of IPC
2. As per the prosecution case, a report was made by the victim who was minor aged about 16 years alleging that she went alongwith her father to the clinic of Ayurvedic Doctor, applicant herein as she was having some pain in the leg. Thereafter, after giving her injection, the applicant gave kiss to the girl whereby he tried to outrage the modesty of the girl.
3. Learned counsel for the applicant submits that initially no report was made against the applicant as other patients were also sitting in the clinic alongwith the complainant and her father, but subsequently the fact has been improved

which would go to show that the applicant has been falsely implicated in this case. It is further submitted that the charge sheet has been filed, the applicant is aged about 72 years and is in jail since 10.05.2016, therefore, looking to the age, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary documents and statement of the victim.
6. Considering the totality of the facts and circumstances of the case and also taking into fact that the charge sheet in this case been filed and the applicant who is aged about 72 years is stated to be in jail since 10.05.2016, I am inclined to release him on 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