

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3296 of 2016

Prince Malik Alias Chhottu, S/o. Dr. B.K. Malik (wrongly mentioned as Vidhut Malik in Order Sheet), R/o. House No. E-1, Abhishek Vihar, Mangla, Thana Civil Line, Bilaspur, District Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station- Civil Line Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr. Ali Asgar, Advocate

For Respondent : Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08.07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.169/2016, registered at Police Station- Civil Lines, Bilaspur (C.G.) for the offence punishable under Section 354, 323 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 15.03.2016, the complainant along-with her two friends visited the house of the applicant and they were chit-chating and after some time the complainant was dragged inside the room and the applicant tried to outrage her modesty, which was opposed by the other friends and the matter was reported, therefore, the offence is committed.
3. Learned counsel for the applicant would submit that the story projected by the complainant is fairly improbable since the girls had visited the house of the applicant and two of the friends were present along-with the complainant which goes to show that the

applicant has been falsely implicated in this case. He further submits that the charge sheet is filed and no further evidence is required, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statements. Considering the nature of offence, degree of allegation and background of the case and further taking into the statements and the fact that the charge sheet is filed and no further evidence is required, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge