

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3685 of 2016

Rajesh Bhaskar, S/o. Shri Santkumar Bhaskar, aged about 18 years, R/o. Araiband, Police Station – Takhatpur, District – Bilaspur (C.G.)

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Of Police Station- City Kotwali, Mungeli, District - Mungeli, Chhattisgarh.

---- Respondent

For Applicants : Mr. Rishi Rahul Soni, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15.07.2016

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.254/2016, registered at Police Station- City Kotwali, Mungeli, District Mungeli (C.G.) for the offence punishable under Section 456, 354, 354A(ii), 506, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 19.05.2016 one co-accused Kailash Kurre along with the applicant entered in to the house of the victim and pressed her breast and tried to outrage her modesty, thereby the offence is committed.
3. Learned counsel for the applicants would submit that the applicant has been falsely implicated in this case. It is further submitted that main allegation are attributed to Kailash Kurre and no allegation has been attributed to this applicant. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 20.05.2016, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statement of the victim.
6. Perused the case diary and the statement of the victim.
Considering the facts and circumstances of the case and taking into the statement of the victim and further considering the fact that the charge sheet has been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, both the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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