

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4719 of 2016

- Ganesh Singrol S/O Jhaman Singrol Aged About 48 Years R/O Somnapur Old Damapur, P.S. Kunda, Teh. Pandaria, Distt. Kabirdham Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through : Station House Officer, Kunda, Distt. Kabirdham Chhattisgarh

---- Respondent

For Applicant : Mr. Ajay Ayachi, Advocate

For Respondent/State : Mrs. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22-08.2016

1. This is 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 on 29-6-2016 in connection with Crime No. 89 of 2016, registered at Police Station Kunda, District Kabirdham (CG) for the offence punishable under Sections 354 of the IPC.
2. Case of the prosecution, in brief, is that on 29-6-2016 the applicant entered into the house of prosecutrix, who is a deaf and dumb lady and pressed her breast. When she raised alarm, on hearing the voice father of the prosecutrix came there and the applicant fled away from the spot and thereby the applicant outraged modesty of the prosecutrix.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and no evidence is available against the applicant. He would further submit that the

applicant has been falsely implicated in the case, he is in jail since 29-6-2016, charge-sheet in this case has been filed and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Perused the statement of the father of the prosecutrix.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and also the fact that charge-sheet in this case has been filed and the applicant is in jail since 29-6-2016, this court is inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju