

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4519 of 2016

- Suresh Nayak S/o Arjun Nayak Aged About 44 Years R/o Village Bathena, Police Station Patan, Tahsil Patan, District Durg, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through District Magistrate, Durg, District Durg, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. B.P. Singh, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.08.2016

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. 64/2016 registered at P.S. Patan, Distt. Durg (C.G) for the offence punishable under Sections 451, 354, 323, 506-B of IPC.
2. As per the prosecution case, on 05.05.2016 the applicant entered into the house of prosecutrix, abused and tried to outrage her modesty and thereafter on 06.05.2016 again he forcibly entered into the house and in the process of outraging modesty assaulted the prosecutrix and also threatened to kill her.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated and the charge sheet in this case has been filed and no further investigation is necessary, therefore, the applicant may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and statement of prosecutrix.
6. Taking into fact that the charge sheet has been filed and the

degree of allegations and considering the facts situation of the case, I am inclined to allow this bail application.

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

R a o