

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5816 of 2016

- Narayan Singh S/O Maan Singh Aged About 31 Years R/O Village Semarmathani, Pahaadhanswahi, Tehsil Manendragarh, Police Station Kelhari, District Koriya Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Kelhari, District Koriya Chhattisgarh.

---- Respondent

For Applicant : Mr. Pushkar Sharma, Advocate

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27-09-2016

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 on 4-8-2016 in connection with Crime No. 57 of 2016, registered at Police Station Kelhari, District Koriya (CG) for the offence punishable under Sections 354 and 354-B of the IPC.
2. Case of the prosecution is that a report was made by the victim that on 31-7-2016 at 11.00 pm., when she was in her house, at that time, the applicant entered into her house and demanded water. When she was giving water, at that time the applicant caught hold of her hands and started pressing her breast. When she raised alarm, the applicant fled away from the spot and thereby he tried to outrage her modesty.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and since the victim

along with applicant was seen by her daughter, such false report has been lodged. He would further submit that the charge-sheet has been filed in the case, the applicant is in jail since 4-8-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the application for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Perused the statement of the victim in which general allegations have been made against the applicant.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the statement of the victim and also the fact that the charge sheet has been filed and the applicant is in jail since 4-8-2016, I am 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