

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2347 of 2016

- Bharat Satnami S/O Laxmi Narayan @ Gendu Satnami Aged About 28 Years R/O Purani Basti, Baloda Bazar, Police Station City Kotwali, District Baloda Bazar Bhatapara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Balodabazar, District Baloda Bazar Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Ms. Pritha Goshal, Advocate

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.06.2016

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 5-3-2016 in connection with Crime No. 95 of 2016 registered at Police Station City Kotwali, Balodabazar (CG) for the offence punishable under Sections 354, 341, 509, 294, 506 of IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case on 4-3-2016 a report was made by the complainant that while she was going and coming from school, applicant objected her on the way and he used to follow her and tease her. The applicant caught hold of her hands and also threatened her that a case under Section 302 of the IPC was registered against him and even if report was made one more case would be registered against him and thereby he committed the aforesaid offence.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case, no sexual act has been attributed to the applicant, charge-sheet has been filed

in this case, the applicant is in jail since 5-3-2016 no further investigation is necessary, therefore, he may be released on bail.

4. Per contra, learned State counsel opposing the bail application would submit that there is sufficient evidence on record to connect the applicant with the crime in question. He would further submit that in addition to the present case, as many as 8 criminal cases are registered against the applicant, therefore, he is not entitled to be released on bail.
5. I have heard learned counsel for the parties and perused the case diary and other documents.
6. Taking into consideration the degree of offence and nature of allegations leveled against the applicant and further considering the statement of the complainant which shows that the applicant has extended threat to the complainant that he will continue his act and he will thereby outrage her modesty, he is involved in a case under Section 302 of IPC and one more case would be registered against him if the report is made against him and the fact that as many as eight criminal cases have been registered against him during the period from 2010 to 2015, I am not inclined to grant bail to applicant.
7. Accordingly, the bail application of applicant is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju