

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 274 of 2016

- Ravikant Dhruv S/o Rarooram Aged About 27 Years R/o Village Mopaki, Police Station Bhatapara (Village), District Baloda Bazar Bhatapara, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Bhatapara (Village) District Baloda Bazar Bhatapara, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr.Sanjeev Sahu, Advocate.
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.01.2016

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 259 of 2015 registered at Police station Bhatapara (village), Distt. Baloda Bazar, Bhatapara (C.G) for the offences punishable under sections 354-B, 294, 506, 323 of IPC.
2. As per the prosecution case, on 24.10.2015 at about 11.00 a.m., the applicant went to the house of victim to ask for his motorcycle and when the prosecutrix refused to take the motorcycle, the applicant dragged her, threw her on the ground and gave kick in her abdomen and put his leg on her private part and on alarm being raised by the prosecutrix, the applicant fled away from the scene.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and in fact the applicant wanted to get back his motorcycle from the house of victim and when she refused to take his motorcycle, altercation took place

and the applicant has been wrongly inculpated in this case. He further submits that the said vehicle was in the name of applicant. It is further submitted that the charge sheet in this case has been filed and the applicant is in jail since 28.10.2015, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of the case and the degree of allegations levelled against the applicant as also the fact that the charge sheet in this case has been filed and looking to the period of detention of the applicant as he is stated to be in jail since 27.10.2015, I am inclined to release him on bail.
6. Accordingly, this bail petition is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.
7. Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**