

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4024 of 2016

- Harendra Singaur S/o Late Nirbhay Singaur Aged About 52 Years R/o Village - Khamhariya, Amleshwar, Police Station - Amleshwar, Durg, Tahsil - Patan, District - Durg Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through : Station House Officer, Police Station - Amleshwar, District - Durg Chhattisgarh

---- Respondent

For the applicant	:	Mr. Avinash Sahu, Advocate
For the Respondent	:	Mr. Vinod Tekam. Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.07.2016

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. 60 of 2016 registered at P.S. Amleshwar, District Durg (C.G) for the offence punishable under Sections 456, 354(B) of IPC.
2. As per the prosecution case, on 31.05.2015, the applicant entered into the house of prosecutrix, thereafter tried to pull out her Sari and she having raised alarm, her sister in law and other neighbors came there and and rescued her, thereby the applicant has tried to outrage the modesty of the victim.
3. Learned counsel for the applicant submits that the applicant is the next door neighbor and earlier a dispute arose between the parties over construction of septic tank, as

such, it is a case of false implication. He therefore prays that the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the statement of prosecutrix.
6. Considering the degree of allegations levelled against the applicant as also the fact that the offences are triable by the Magistrate; the charge sheet in this case has been filed and the applicant is stated to be in jail since 01.06.2016 and considering the totality of facts and circumstances, 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