

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 1167 OF 2016**

Lal Say Tirkey S/o Ranjan Terkey aged about 43 years Caste
Lohar R/o village Gangapur Police Station Gandhinagar
Tahsil Ambikapur District Surguja (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through Police Station A.J.K.
Ambikapur District Surguja (C.G.)

---Non-applicant

For Applicant	:	Mr. A.K. Yadav, Advocate
For Non-applicant	:	Mr. Ajit Singh, P.L.
For Objector	:	Mr. Sudeep Verma, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****10/03/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 8/2015, registered at Police Station A.J.K. Ambikapur District Surguja (C.G.), for the offence punishable under Sections 354, 294, 506 of IPC and 3(1-11) of Scheduled Castes and Scheduled Tribes (Prevention of

Atrocities) Act, 1989.

2. Case of the prosecution, in brief, is that, on 10/05/2015 applicant outraged the modesty of complainant who belongs to scheduled caste and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that complainant and applicant are neighbourer to each other. He would further submit that applicant is teacher. He would further submit that applicant is in jail since 02/02/2016 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State and Objector would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant; applicant is teacher and he is in jail since 02/02/2016, this Court is of the opinion that present is the fit case, in which, the applicant

should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on 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.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge