

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7381 of 2015

Mohan Lal Nagrachi, son of Shri Heeralal Nagrachi, aged about 26 years, resident of village Charra, Post Office, Police station & Tahsil Kurud, Distt. Dhamtari (C.G). ... **Applicant**

Vs.

State of Chhattisgarh, through Station House Officer, Station House Officer, Police Station Kurud, Distt. Dhamtari (C.G).....**Respondent**

For the applicant	:	Mr. Shivendu Pandya, Advocate.
For the Respondent	:	Mr. Samir Behar, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05.01.2016

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.395/2015 registered at Police station Kurud, Distt. Dhamtari (C.G) for the offence punishable under section 354 IPC.
2. As per the prosecution case, a report was lodged by the prosecutrix that on 18.10.2015 the victim was going to answer the call of nature to the school of Navin Prathmikshala, Charra. At that time, the applicant caught hold of her hand and tried to outrage her modesty.
3. Learned counsel for the applicant submits that the applicant has objected for the use of bathroom of the school by the prosecutrix, therefore, the altercation took place between him and prosecutrix and ultimately, a false report was made. He further submits that the charge sheet has been filed and the applicant is in jail since 26.10.2015, therefore, he may be released on bail.
4. Per contra, learned State Counsel opposes the prayer for grant

of bail.

5. Perused the case diary and the statement of prosecutrix.
6. Having regard to the facts and circumstances of the case and the degree of allegations and also considering the fact that the charge sheet in this case has been filed and the applicant is in jail since 26.10.2015, I am inclined to release him on bail.
7. 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.
8. Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**

Rao