

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2339 of 2016

1. Govind Sahu, S/o. Kailash Sahu, Aged About 20 Years, R/o. Rampur Ward, Dhamtari, Tahsil & District Dhamtari, Chhattisgarh.
2. Ghanshyam Nirmalkar, S/o. Khilawan Nirmalkar, Aged About 23 Years, R/o. Ama Talab Road, Dhamtari, Tahsil & District Dhamtari, Chhattisgarh.
3. Anurag Nirmalkar, S/o. Dilip Nirmalkar, Aged About 23 Years, R/o. Ama Talab Road, Dhamtari, Tahsil & District Dhamtari, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through Station House Officer, Police
Station- Rudri, District Dhamtari, Chhattisgarh

---- Respondent

For Applicant : Mr. Anil Gulati, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.23/2016 registered at Police Station Rudri, District Dhamtari (C.G.) for the offence punishable under Section 354-B/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 24.03.2016, the victim after taking her bath was coming back, at that time, the applicants came in a motorcycle bearing No.C.G.05 S 4822 and asked the girl to join them when she refused they went back and again came

back and one of the boy by force take out the Saree of the girl and thereby tried to outrage the modesty of the girl.

3. Learned counsel for the applicants would submit that the charge sheet has been filed and no further investigation is necessary and the applicants are in jail since 24.03.2016 and therefore considering the allegation, the applicants may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the prosecutrix. Taking into fact that the charge sheet has been filed and considering the facts and circumstances of the case and the degree of allegation and the fact that the applicants are in jail since 24.03.2016, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge