

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3279 of 2016

Santosh Rajak, S/o. Melaram Rajak, Aged About 35 Years, R/o. Dabripara, Sarkanda, P.S. Sarkanda, Tahsil & District Bilaspur, Chhattisgarh .

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House In-Charge, P.S. - Sarkanda, District – Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shourabh Sharma, Advocate

For Respondent : Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05.07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.173/2016 registered at Police Station- Sarkanda, District Bilaspur (C.G.) for the offence punishable under Section 354 of Indian Penal Code.
2. Case of the prosecution, in brief, is that when the victim was coming back, at that time, the applicant who was drunk caught hold of the victim from behind and hurled some abusive words and thereby tried to outrage her modesty.
3. Learned counsel for the applicant would submit that the charge sheet has been filed and no further investigation is required and the applicant is in jail since 02.03.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Taking into facts and circumstances of the case and considering the nature of offence and degree of allegation and further considering the fact that the charge sheet has been filed and the applicant is in jail since 02.03.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his 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.

Sd/-
(Goutam Bhaduri)
Judge