

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3641 of 2016

- Rajesh Gupta S/o Hiru Gupta Aged About 36 Years R/o Village - Salvahi, P.S. Trikunda, District - Balrampur - Ramanujganj Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh Through Police Station Sanawal, District Balrampur- Ramanujganj Chhattisgarh **Respondent**

For the applicant	:	Mr. A. K. Yadav Advocate
For the Respondent	:	Mr. Neeraj Sharma, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.07.2016

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. 27/2015 registered at P.S. Sanawal, Distt. Balrampur Ramanujganj (C.G) for the offence punishable under Sections 323, 354, 394, 452 IPC.
2. As per the prosecution case, on 06.10.2015 the applicant alongwith 4 persons went to the house of prosecutrix to get some pipe thereafter the other persons left and the applicant stayed back. When the prosecutrix victim came, the applicant caught hold of her, offered Rs.500/- and asked her to fulfill his sexual desire and thereafter tried to outrage her modesty.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated as in the initial report the allegation of snatching golden chain was made but it was found to be wrong. He further submits that the statement of

prosecutrix has been recorded and no further investigation is necessary, therefore the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and other documents.
6. Considering the facts and circumstances of the case and taking into degree of allegations levelled against the applicant as also the fact that the applicant is stated to be in jail since 17.03.2016, I am inclined to release him on bail.
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