

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3783 of 2016

- Abdul Motli S/O Lal Mohammad Aged About 21 Years R/O Village Badwar, Police Station Ramkola, Tahsil - Pratappur, District - Surajpur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station Ramkola, District Surajpur Chhattisgarh.

--Respondent

For Applicant : Mr. D.N. Prajapati, Advocate

For Respondent/State : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18-07.2016

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 on 17-5-2016 in connection with Crime No. 16 of 2016, registered at Police Station Ramkhola, District Surjpur (CG) for the offence punishable under Sections 354 and 456 of the IPC.
2. As per the case of prosecution, on 14-5-2016 victim was sleeping in her house, at that time the applicant came there, sat behind her and caught hold of her hands and subsequently when the victim recognized the applicant and resisted him, he ran away from the spot and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case, charge-sheet has been filed in this case, the applicant is in jail since 17-5-2016

and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration the facts of the case and nature of allegation leveled against the applicant and considering the fact that charge-sheet has been filed and the applicant is in jail since 17-5-2016, this court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju