

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3828 of 2016

- Dhan Singh S/o Kejau Gond Aged About 35 Years R/o Jamunpali, Police Station Kukdur, Tahsil - Pandaria, Civil & Rev. District Kabirdham Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through District Magistrate, Kabirdham Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Yogeshwar Sharma, Advocate
For the Respondent	:	Miss K. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.07.2016

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. 43/2016 registered at P.S. Kukdur, Distt. Kabirdham (C.G) for the offence punishable under Sections 452 & 454 of IPC.
2. As per the prosecution case, on 17.05.2016 the applicant entered into the house of complainant and caught hold of her hand and forcibly took her to his shop where he abused her, thereby tried to outrage the modesty of the complainant/ victim.
3. Learned counsel for the applicant submits that the applicant submits that the applicant has been falsely implicated in this case as there was some previous enmity between him and the complainant. He further submits that the charge sheet in this case has been filed and no further investigation is necessary and since the applicant is in jail since 18.05.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary. Considering the degree of allegations levelled against the applicant and the fact that the charge sheet in this case has been filed; no further investigation is necessary and the applicant is stated to be in jail since 18.05.2016 and thus taking into consideration totality of facts and circumstances of the case, I am inclined to release the applicant on bail.
6. 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