

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3980 of 2016

Abhay Kujur, S/o. Late Lewas Kujur, Aged About 30 Years, R/o. Aama Kherwa Manendragarh, P.S. & Tahsil Manendragarh, District Korea, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Incharge Police Station, Manendragarh, District Korea, Chhattisgarh.

---- Respondent

For Applicant : Smt. Usha Chandrakar, Advocate

For Respondent : Shri Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25.07.2016

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.211/2016 registered at Police Station- Manendragarh, District Korea (C.G.) for the offence punishable under Section 452, 294, 354, 354-B of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 09.06.2016 the applicant entered into the room of the victim/prosecutrix while she was changing her garments and tried to catch hold and consequently tried to outrage her modesty; thereby the offence is committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case since they were neighbour and a dispute was existing and as such false allegations have been leveled, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the prosecutrix. Considering the facts and circumstances of the case, nature of offence, degree of allegation and the fact that the applicant is in jail since 10.06.2016, 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