

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.No.4128/2016

Sajeet Kumar @ Sujeet Kumar, aged about 25 years, son of Shri Shiv Kumar, Gram Nayabandh, Thana Batauli, Distt. Surguja, Chhattisgarh. ... **Applicant**

Vs.

State of Chhattisgarh, through Police Station Batauli, District Surguja (CG) ... **Respondent**

For the applicant	:	Mr. Anurag Dayal Shrivastava, Adv.
For the Respondent	:	Mr. Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.07.2016

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. 23 of 2016 registered at P.S. Batauli, Distt. Surguja (C.G) for the offence punishable under Sections 354 & 342 of IPC.
2. As per the prosecution case, on 28.2.2016 when the victim went to the mobile shop of applicant at that time the applicant closed the door of shop and caught hold of her hand thereby he tried to outrage the modesty of the complainant.
3. Learned counsel for the applicant submits that out of old enmity between him and the prosecutrix, he has been falsely implicated in this case. He further submits that charge sheet has been filed and no further evidence is required and the applicant is in jail since 16.03.2016, therefore, considering the allegations he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the statement of the victim.

6. Considering the degree of allegations leveled against the applicant as also the fact that the charge sheet has been filed and further looking to the detention of the applicant as he is said to be in jail since 16.03.2016, 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**