

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4248 of 2016

1. Ramsundar, S/o. Jaimangal, aged about 28 years, Caste- Khairwar, R/o. Village-Annpara, P.S. - Ramchandrapur, Tahsil – Ramanujganj, District – Balrampur – Ramanujganj (C.G.), Civil District – Sarguja at Ambikapur, Revenue District – Balrampur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Police Station -Ramchandrapur, District – Balrampur-Ramanujganj (Chhattisgarh)

---- Respondent

For Applicant	: Mr. A.K. Prasad, Advocate
For Respondent/State	: Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/08/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.21/2016, registered at Police Station – Ramchandrapur, District – Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 354 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 15.05.2016, when the victim went to fetch the water in the pump, the applicant caught hold of her and threw in the ground and thereafter tried to outrage her modesty. Subsequently, when the complainant raised alarm by showing, the applicant fled away.
3. Learned counsel for the applicant submits that applicant has been falsely implicated in this case as there is some dispute about the

property is going on as such the applicant has been implicated in this case. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 20.05.2016, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the statement of the victim. Considering the facts and circumstances of the case and taking into the nature of offence and degree of allegation levelled against the applicant and further considering the fact that charge-sheet in this case has been filed and the applicant is in jail since 20.05.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge