

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7713 of 2015

Manoj, son of Maniram Kalate, aged about 28 years, resident of Indira Nagar, Tamnar, Police Station, Tahsil Tamnar, District Raigarh.

Applicant

Vs.

State of Chhattisgarh, through Station House Officer, Police Station
Tamnar, District Raigarh (C.G). ... **Respondent**

For the applicant	:	Mr. Ashish Gupta, Advocate.
For the Respondent	:	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.01.2016

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 214 of 2015 registered at Police station Tamnar, Distt. Raigarh (C.G) for the offences punishable under Sections 354-B, 451/34 IPC (wrongly mentioned as 354 of IPC in the impugned order).
2. As per the prosecution case, on 24.10.2015 the applicant along-with other co-accused entered into the house of prosecutrix and thereafter caught hold of her hand and tried to pull out her Saree and when she raised her voice hearing the same her husband and sister came and thereafter the applicant fled away from the scene.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he along-with other co-accused went to the house of complainant for collecting the amount owed by the husband of prosecutrix. He submits that the other co-accused Vidya Shanker Aditya @ Vidyut has been enlarged on bail by this Court by order dated 02.12.2015 passed in M.Cr.C .No.6604/2015. He further submits that the charge sheet in this case has been filed

and the applicant is in jail since 24.10.2015, therefore, the present applicant may also be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail and submits that against the applicant, 15 criminal cases have been registered.
5. Perused the case diary and the statements. Perusal of the case diary shows that out of 15 criminal cases registered against him, 4 four cases are under Section 395 IPC.
6. Looking the past antecedents, the ground of parity cannot be considered to release the applicant on bail. Since the applicant is already involved in 15 criminal cases, possibility of tampering evidence cannot be ruled out. Therefore, I am not inclined to release him on bail. Accordingly, the bail application is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**