

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5321 of 2016

Santosh Nishad S/o Sumit Ram, Aged About 30 Years, R/o. Village Jobi, Police Chowki Jobi, Tahsil Kharsiya, District Raigarh Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : The Station House Officer, Police Station A.J.A.K. Raigarh, District Raigarh Chhattisgarh

---- Respondent

For applicant - Shri Basant Kawartya, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

7/09/2016

1. This is the second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed as withdrawn with liberty to repeat the same after filing of the charge sheet.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.15/2016 registered in Police Station AJAK, Raigarh (C.G.) for offence punishable under sections 456, 354 of Indian Penal Code and Section 3(1) (B), (2), 3 (2) (5) (A) of Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act.
3. As per the prosecution case, on 30/06/2016 the applicant entered into the house of the victim, caught hold of the hand of the victim, when she raised alarm, the applicant fled away.
4. Learned counsel for the applicant submits that the first bail application was dismissed on 10/08/2016 with liberty to repeat the same after filing of the charge sheet and now the charge sheet has been filed, no further investigation is necessary, applicant is in jail since 30/06/2016, therefore the applicant may be released on bail.
5. Learned State counsel opposes the prayer for grant of bail.

6. Considering the facts and circumstances of the case, degree of allegation and the applicant is in jail since 30/06/2016, this court is inclined to release the applicant on bail.

7. Accordingly, the second bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE