

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6132 of 2016

1. Jeewan Lal Ratre, S/o. Shri Mansharam Ratre, aged about 30 years, R/o. Village-Navapara, Thana-Gidhouri, Civil and Revenue District – Balodabazar-Bhatapara (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, Through : Station House Officer, Police Station – Gidhouri, Civil and Revenue District – Balodabajar (C.G.)

---- Respondent

For Applicant : Mr. Sunil Sahu, Advocate

For Respondent/State : Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/10/2016

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.110/2016, registered at Police Station – Gidhouri, District – Balodabajar (C.G.) for the offence punishable under Section 354, 452 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made on 23.07.2016 by the victim aged about 23 years that at about 11.30 while she was alone in the house, the applicant after crossing over the wall jumped into the house of the complainant and caught hold of her hand and having raised the alarm, the applicant fled away. Thereby tried to outrage the modesty of the victim. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. It is further submitted that

charge-sheet in this case has been filed and the applicant is in jail since 10.08.2016, 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 the degree of allegation and the nature of offence and further taking into the fact that charge-sheet in this case has been filed and the applicant is in jail since 10.08.2016, 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