

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7704 of 2016

- Kamlakant Shukla S/o Pt. Kedarnath Shukla Aged About 65 Years
Occupation- Retired Teacher, R/o Banaras Road, Ambikapur, Police
Station Gandhinagar, District Surguja, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through S.H.O. Azak, Police Line Ambikapur,
District Surguja, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Sunil Tripathi, Advocate

For Respondent/State : Mrs. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06-12-2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 28-10-2016 in connection with Crime No. 40 of 2016, registered at Police Station AZAK, Ambikapur, District Surguja (CG) for the offence punishable under Sections 354, 354(C), 354 (D), 294, 186, 353 of IPC and Section 3 (1)(x) & 3 (1)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), 1989.
2. Case of the prosecution, in brief, is that a report was made by the complainant Smt. Kazruna Kanti Lakda that on 27-10-2016 the applicant who was a retired Government Teacher, came to the office of the complainant, thereafter he misbehaved with her, insulted and abused her and thereby he tried to outrage her modesty.
3. Learned counsel appearing for the applicants would submit that the applicant who was a retired Government Teacher was not getting his retiral benefits and pension, therefore, he went to the office of the complainant

number of times and despite, the complainant who is a dealing clerk did not proceed the matter and having refused some altercation took place and inflated allegations have been made against the applicant. He would further submit that charge-sheet has been filed in this case, the applicant is a retired teacher aged about 65 years and is in jail since 28-10-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Perused the statement of the victim.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and back-ground of the case and further considering the fact that charge-sheet in this case has been filed and the applicant is in jail since 28-10--2016, this court is inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju