

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7951 of 2016

- Hem Lal Sahu S/o Khik Ram Sahu Aged About 30 Years Caste Teli, Occupation Labourer, R/o Village Salhe, Police Station & Tehsil Sarangarh, District Raigarh, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through The District Magistrate, Raigarh, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Raghavendra Pradhan, Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14-12-2016

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. 436 of 2016, registered at Police Station Sarangarh, District Raigarh (CG) for the offence punishable under Sections 456, 354-B, 294, 506, 323 of the IPC.
2. Case of the prosecution, in brief, is that a report was made by the victim on 27-10-2016 that while she was alone in her house, the applicant entered into her house and caught hold of her hands and when she raised alarm the applicant fled away. Subsequently, it was disclosed to the husband of the victim and when her husband wanted to enquire the matter, the applicant abused him and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and the applicant has not committed any offence. He would further submit that charge-sheet has been filed in this case, the applicant 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 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