

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8068 of 2016

Amish Parvej, S/o. Ahmad Khan, Aged About 38 Years, R/o. Village Fooljhar, Police Station Somani, Tahsil & District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Somani, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Hemant Gupta, Advocate

For Respondent : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20.12.2016

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.170/2016 registered at Police Station- Somani, District Rajanadgaon (C.G.) for the offence punishable under Section 354, 384, 342, 323, 506 & 294/34 of Indian Penal Code. The first bail application was dismissed on 22.11.2016 in MCRC No.7207 of 2016.
2. As per the prosecution case, a report was made by the victim who is Ex-wife of the present applicant that on 19.10.2016 the complainant was asked to come to the farm house, at that time, she was assaulted and the applicant tried to outrage her modesty and further demanded Rs.2 Lakhs from the complainant and threat was extended that in case the amount is not paid, her children will be killed.
3. Learned counsel for the applicant would submit that the charge sheet has been filed and the case is in between applicant and

complainant, who is ex-wife of the applicant, and false allegations have been leveled and no further investigation is necessary, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statement of the victim. It is stated that she was earlier married to the present applicant and subsequently she was separated and thereafter when she went to meet the applicant, the incident happened. Taking into background of this case and the fact that the charge sheet has been filed and further taking into the statement of the complainant, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge