

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE NO. 6298 OF 2017

Krishna @ Badka Dau, S/o Shyam Sunder Gabel, aged about 23 years,
R/o Kalmiduggu, Darri, Tahsil- Katghora, District Korba (C.G.)

... Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station
Darri, District Korba (C.G.)

... Respondent

For Applicant	:	Mr. R.K. Bhagat, Advocate.
For Respondent-State	:	Ms. M. Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

28/11/2017

1. The present is an application filed under Section 439 of CrPC seeking for grant of bail to the Applicant who is in jail since 8.8.2017 in connection with Crime No.81/2017 registered at Police Station- Darri, District- Korba, for the offence punishable under Sections 294, 506, 323, 34, 324, 354 of IPC.
2. Allegation against the Applicant as per the prosecution is that on 7.8.2017 in the evening he is said to have used abusive language against the victim and has also tried to outrage her modesty.
3. Learned Counsel for the Applicant submits that perusal of case diary would reveal that the Applicant has been falsely implicated as on the said date because of a fight between the younger brother of the Applicant and the younger brother of the Complainant, the Applicant is said to have intervened and in the process the Complainant also came and joined the altercation and later lodged a complaint against the Applicant falsely implicating him with all these serious charges, and thus he prayed for the Applicant to be released on bail.

4. Learned Counsel for the State however opposing the bail application submits that there are direct allegations against the Applicant of having caught hold of the victim and tried to outrage her modesty and thus his bail application deserves to be rejected.

5. Considering the entire facts and circumstances of the case particularly taking note of the manner in which the dispute between the parties arose and also taking note of the fact that the Applicant is in jail since 8.8.2017, this Court is of the opinion that prima facie a strong case is made out for grant of bail to the Applicant.

6. Accordingly, the application for grant of bail is allowed. It is ordered that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge