

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6545 of 2017

Vijay Verma S/o Shri Santosh Verma, Aged About 21 Years R/o House Of Shanker Pathak, Subhash Chouk, Birgaon, Thana- Urla, District Raipur, Chhattisgarh. Present Address : Qr. No. 57, Sai City, Pahanda Road, Amleshwar, Tahsil-Patan, District-Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station Incharge P.S. - Urla, District Raipur, Chhattisgarh

---- Respondent

Shri Arvind Shrivastava, counsel for the applicant/s.
Shri Chandresh Shrivastava, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

08/12/2017

Heard.

The applicant has been arrested in connection with Crime No.230/17 registered at Police Station – Urla, Distt. - Raipur (CG) for alleged commission of offences under Section 294, 323, 354, 452 and 506-B of IPC and Section 25 of the Arms Act.

2. Case of the prosecution is that the applicant entered the house of the prosecutrix, threatened her and outraged her modesty.

3. Learned counsel for the applicant submits that the allegations are exaggerated. The prosecutrix, in her statement under Section 164 CrPC recorded before the Magistrate, has not made allegations of outraging modesty but only alleged about threatening. It is submitted that the investigation is complete. Therefore, in these circumstances, the applicant may be granted bail.

4. On the other hand, learned State counsel opposes bail application and submits that looking to the criminal overt act of the applicant that he entered the house of the prosecutrix, threatened her showing knife, the application may be rejected.

5. Taking into consideration the submission of learned counsel for the parties, nature of allegations, material on record, statement of the prosecutrix under Section 164 CrPC and also considering that investigation is complete, charge sheet has been filed and the applicant is not likely to abscond or tamper with the prosecution witnesses, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the Trial Court. He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge