

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 340 of 2017

- Ganda Sardar Alias Jaswant Singh S/o Kashmira Singh, Aged About 21 Years R/o Jawahar Nagar, Atal Awash, Bhilai, Tahsil And District Durg Chhattisgarh

---- Petitioner

Versus

- State of Chhattisgarh Through The District Magistrate, Police Station Nevai, District Durg Chhattisgarh

---- Respondent

For Applicant : Mr. Tarun Dedsena, Advocate

For Respondent/State : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01-02-2017

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 17-10-2016 in connection with Crime No. 536 of 2016, registered at Police Station Jamul, District Durg CG) for the offence punishable under Sections 452, 354 and 323 of the IPC.
2. As per prosecution case, on 16-10-2016 when the victim girl was alone in her house, at that time the applicant entered into her house, caught hold of her hands and thereafter tried to press her breast. When she resisted, her Kurta was torned 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 he has not committed any offence. He would further submit that charge-

sheet has been filed in this case, the applicant is in jail since 17-10-2016 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 documents.
6. Perused the statement of the victim girl.
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 has been filed and the applicant is in jail since 17-10-2016, I am 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