

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 628 of 2017**

- Vishwajeet Behra S/o Shri Damodar Prasad Behra Aged About 44 Years R/o Village- Baitari , Thana- Saraypali, Civil & Revenue District Mahasamund, Chhattisgarh. --- **Applicant**

**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station- Saraypali, Civil & Revenue District Mahasamund, Chhattisgarh. --- **Respondent**

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| For the applicant  | : | Mr. Sunil Sahu, Advocate     |
| For the Respondent | : | Mr. D. R. Minj, Panel Lawyer |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**01.03.2017**

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 137/2016 registered at Police Station Saraypali, Distt. Mahasamund (C.G) for the offence punishable under Sections 452 & 354 of IPC and Sections 3(2)(V-A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 67 of the Information Technology Act.
2. As per the prosecution case, on 01.05.2016 a report was filed by the victim that on 27.4.2016 while she was taking bath at that time the applicant entered into the house and since there was no latch, he opened the door and thereafter asked her to fulfill sexual favour and also used to send obscene messages.
3. Learned counsel for the applicant would submit that the victim was in relation to the present applicant and he has

been falsely implicated. He further submits that the charge sheet has been filed; no further investigation is necessary and he is in jail since 16.01.2017, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Considering the degree of allegations levelled against the applicant and the facts and circumstances of the case especially the fact that the charge sheet has been filed and no further investigation is necessary, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance.
7. It is further observed that the concerned Superintendent of Police shall ensure the safety of victim so that if required, necessary protection may be provided to the victim till her statement is recorded before the Court.

C.c. as per rules.

**Sd/-**  
**GOUTAM BHADURI**  
**JUDGE**