

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 958 of 2017

- Lilamber Singh Jagat S/o Late Baratram Jagat Aged About 32 Years
R/o Dabhara, Tahsil & Thana Dabhara, District Janjgir- Champa,
Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through District Magistrate, District Janjgir-
Champa, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Parak Kotecha, Advocate
For the Respondent	:	Ms. Sunita Jain, Govt. Advocate

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. 57/2016 registered at P.S. Dabhara, Distt. Janjgir Champa (C.G) for the offence punishable under Sections 457, 354, 323/34 of IPC.
2. As per the prosecution case, a report was made by the victim on 21.04.2016 that in the night at about 1.30 a.m., the present applicant along-with others came into the room and thereafter tried to outrage the modesty of the victim, thereby the offence is committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated; the husband of the victim was terminated from service of peon from Nagar Panchayat Dabhara and in his place another person was appointed as peon, therefore, false allegations have been made against him. He further submits that the charge sheet

has been filed; no further investigation is necessary and the applicant is in jail since 17.01.2017, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the statement of the victim.
6. Considering the statement of victim and the nature of allegations levelled against the applicant as also further considering the facts and circumstances of the case especially the fact that the charge sheet has been filed, no further investigation is necessary and the applicant is in jail since 17.01.2017, I am inclined to allow this bail application.
7. 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 each in the like sum to the satisfaction of the concerned trial Court for his appearance.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**