

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.3830 of 2017

- Tijuram Giri S/o Dharam Lal Giri Aged About 23 Years Caste Satnami, R/o Village- Kosamsara (A), Police Station & Tahsil- Kashdol, District Baloda Bazar- Bhatapara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Kashdol, District- Baloda Bazar- Bhatapara, Chhattisgarh.

-----Respondent

For Applicant : Shri SK Guha, Advocate.

For Respondent : Shri Lav Sharma, Panel Lawyer for the State.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

On 12.06.2017.

This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.178/2017 registered at Police Station Kashdol, Baloda Bazar- Bhatapara for the offence punishable under Section 354 of the Indian Penal Code.

2. As per the case of the prosecution, on 27.4.2017 at about 1.00 am (in the intervening night of 26 – 27 April, 2017), present applicant entered into the house of the prosecutrix and tried to outrage her modesty.

3. Learned counsel for the applicant submits that the applicant is in jail since 30.4.2017 and the offence is triable by Magistrate.

4. On the other hand, learned counsel for the State opposes the bail application and submits that the act of the present applicant does not warrant any liberal consideration.

5. I have heard the counsel appearing for the parties.

6. Considering the totality of the facts and circumstances of the case, particularly taking into the fact that the applicant is in jail since 30.4.2017 and also the fact that the applicant is a young boy of 23 years, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with two solvent sureties in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(P. Sam Koshy)
Vacation Judge

Bini