

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8439 of 2016

Panchram Chauhan, S/o. Rangu Chauhan, Aged About 65 Years, R/o.
Village -Chhote Atarmuda, Tahsil & District Raigarh, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station
Chakradhar Nagar, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Ashish Gupta, Advocate

For Respondent : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04/01/2017

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 in connection with Crime No.280/2016 registered at Police Station- Chakradhar Nagar, District Raigarh (C.G.) for the offence punishable under Section 354, 354-B, 506, 323, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by the victim on 03.09.2016 that on 01.09.2016 while the victim was sleeping in her room, the applicant who is father-in-law came inside the room and opened her garments and thereafter pressed her breasts and consequently tried to outrage the modesty of the victim, who is daughter-in-law.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated as the applicant has made a report against the victim on 04.02.2016 before the Superintendent of Police as per Annexure A-2 and as a counter blast, the false

allegations have been leveled against the present applicant, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary, statement of the prosecutrix and also the report made by the prosecutrix. Considering the facts & circumstances of the case, degree of allegation and the fact that the charge sheet has been filed, without any observation on merit, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge