

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 625 of 2017**

Mukesh Kumar Bagh S/o Late Shri Sudhersen Bagh Aged About 36 Years R/o Pandri New Shanti Nagar Sheetla Colony Raipur, Police Station Pandri Raipur, District Raipur, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh Through Police Station Pharasgaon, District Kondagaon, Chhattisgarh.

**---- Respondent**

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For applicant - Shri J.N. Nande, Advocate.  
For Respondent/State –Shri Wasim Miyan, PL.

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**9/02/2017**

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed as withdrawn on 30/11/2016 vide M.Cr.C. No.7651 of 2016 with liberty to repeat the same after filing of the charge sheet.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.90/2016 registered in Police Station Pharasgaon District Kondagaon (C.G.) for offence punishable under section 354 of the Indian Penal Code.
3. As per the prosecution case, a report was made by the victim on 18/10/2016 that while she was travelling in a bus and was going from Raipur to Jagdalpur, while she was sleeping applicant who was conductor tried to outrage her modesty by touching her, when she objected and raised alarm, the applicant was apprehended.
4. Learned counsel for the applicant submits that now the charge sheet has been filed, no further investigation would be necessary, therefore the applicant may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Perused the case diary and the statement of the victim. Considering the facts and circumstances of the case, taking into degree of allegation made, charge sheet has been filed and the applicant is in jail since 20/10/2016, this court is inclined to release the applicant on bail.

7. Accordingly, the second bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE