

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5128 of 2017

Ashish Singh, S/o. Shri Nindresh Singh, Aged About 23 Years, R/o. Narmada Nagar, P.S. Civil Lines, Tehsil & District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through SHO, P.S. Tarbahar, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Achyut Tiwari, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06/09/2017

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.200/2017 registered at Police Station- Tarbahar, District Bilaspur (C.G.) for the offence punishable under Section 354, 354-A, 354-B of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by the victim on 06.07.2017 that while she went to Bathroom, the applicant came inside the Bathroom and caught hold of her and thereafter tried to outrage her modesty.
3. Learned counsel for the applicant would submit that the incident though alleged to have occurred is a very busy place and such incident was not possible. He further submits that the applicant is in jail since 13.07.2017 and no further investigation is necessary as the charge sheet has been filed, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of the victim. Considering the degree of allegation and the fact that the charge sheet has been filed and the applicant is in jail since 13.07.2017, 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