

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 2563 of 2018**

Suresh Kumar Kathaute S/o Late Hariram Kathaute Aged About 23 Years R/o- Quarter No. 18/6, Banki Colony, Police Station- Banki Mongra, Tahsil- Katghora, District- Korba, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station- Banki Mongra, District- Korba, Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. S.R.J. Jaiswal, Advocate
For State	:	Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****09/05/2018**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 30/2018 registered at Police Station Banki Mongra, District- Korba, Chhattisgarh for the offence punishable under Sections 452, 354, 294, 323, 506 of Indian Penal Code .
2. The present applicant is in jail since 05.03.2018 in connection with the aforesaid Crime number.
3. The allegation against the present applicant as per the case of prosecution is that the present applicant on 05.03.2018 is said to have forcefully entered into the house of the complainant and has caught hold the hand of the victim and tried to outrage her modesty. However, on the complainant raising an alarm, the parents of the complainant reached the spot and caught hold of the present applicant and handed over to the police.

4. The counsel for the applicant submits that the present applicant has already remained in custody for a period of more than one month. He further submits that the present applicant is a college going student and that the present applicant was in love with the complainant therefore he only entered the house to express his feelings. Thus prayed for the grant of bail to the present applicant.
5. The State counsel however opposes the bail application on the ground that the nature of allegations is quite serious and that the present applicant has been persistently harassing the complainant. Thus prayed for the rejection of the bail application.
6. Having heard the contentions put forth on either side and on perusal of the record, particularly taking note of the statement of the complainant, the age of the applicant as well as the complainant, the period of custody undergone and the nature of offence charged, this Court is of the opinion that prima facie a strong case has been made out for grant of bail to the applicant. Accordingly, the present application for grant of bail is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
Judge