

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7233 of 2018

- Chandrapratap Yadav S/o Shree Brij Kishore Yadav Aged About 32 Years Occupation- Service (Constable No. 10 In Police Department) R/o Shivmandir Para Katwar, Police Station- Kotadol, Tehsil- Bharatpur, District- Korla, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Sonhat, District- Korla, Chhattisgarh., District : Korla (Baikunthpur), Chhattisgarh

---- Respondent

For Applicant	: Shri Mahendra Dubey, Advocate
For Respondent /State	: Shri Samir Behar, PL

Hon'ble Smt. Justice Rajani Dubey

Order on Board

27/10/2018

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.45/2018 registered at police station Sonhat, district Korla (CG) for the offence punishable under Sections 354,354(A)(1) (IV) IPC and Section 3(1)(b)(i)(ii) of the SC/ST (Prevention of Atrocities) Act.

As per prosecution case, report was lodged by the complainant that on 31.03.18, when she boarded the bus at Baikunthpur to her home at Korla applicant sat in her side and was talking vulgarly, tried to touch and kiss her. It is further stated that when she got up from the seat and went near the driver seat, applicant was forcing her to go with him in another vehicle and when she refused, applicant was forcefully dragging her down the bus

by threatening her of life. Thereafter, complainant called one Surendra Singh for help and then others also came there, her father was informed and the report was lodged at police station Sonhat.

Counsel for the applicant submits that the applicant has been falsely implicated. He further submits that the applicant is in jail since 13.09.2018 and the trial will take time for final disposal and therefore he may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicant, I am inclined to release him on bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 20,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-

(Rajani Dubey)
Judge