

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5521 of 2020

Markush Beg, S/o Jhagnu Urao, Aged About 28 Years Occupation - Agriculture, Village - Sarbhanja (Saraikarcha) Police Station - Kamleshwarpur, Tehsil - Mainpat, District - Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station - Kamleshwarpur, District - Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Respondent

For Applicant	:	Ms. Saumya Sharma, Advocate
For State	:	Shri Alok Bakshi, Addl. Advocate General

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

08/10/2020

Heard.

1. The applicant is arrested in connection with Crime No.25/2020 registered in Police Station -Kamleshwar, District- Surguja (CG) for alleged commission of offence under Sections 354, 456 IPC.
2. Case of the prosecution, in brief, is that the applicant entered the house of the prosecutrix in the night and attempted to outrage her modesty.
3. Learned counsel for the applicant would submit that allegations against the applicant are false. He has not committed any offence. There are disputes pending between the parties. It is further submitted that investigation is complete and charge sheet has been filed, therefore, at this stage, the applicant may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application

by submitting that the very act of the applicant entering the house of the prosecutrix in midnight clearly shows his intention to outrage modesty and, therefore, irrespective of any specific allegation, the offence is serious one.

5. Taking into consideration the submissions made by learned counsel for the parties, material available on record, particularly taking into consideration that the investigation is complete and charge sheet has been filed and that the applicant is in jail since 1.7.2020, I am inclined to allow the application.
6. The application is accordingly allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:-
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Manindra Mohan Shrivastava)
Judge