

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6473 of 2020

Yaadram Bagel, S/o Shri Lalji Bagel, Aged About 21 Years R/o Village Sirikhurud, Police Station Fingeshwar, District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Fingeshwar, District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh

---- Respondent

For Applicant	:	Shri Pragalbha Sharma, Advocate
For State	:	Shri Ravish Verma, Govt. Advocate

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

Order On Board

16/10/2020

Heard.

1. The applicant is arrested in connection with Crime No.151/2020 registered in Police Station – Fingeshwar, District -Gariaband (CG) for alleged commission of offence under Sections 354, 451 IPC.
2. Case of the prosecution, in brief, is that the applicant entered the house of the prosecutrix and caught hold of her hands with intention to outrage her modesty. When alarm was raised, applicant ran away.
3. Learned counsel for the applicant would submit that the allegation are false and fabricated. The applicant has not committed the offence alleged. He further submits that the applicant is in jail since 29.8.2020 and at this stage, when further custodial interrogation is not necessary, the applicant may be granted bail.
4. On the other hand, learned counsel for the State opposed the bail application

by submitting that the act of the applicant in entering house of the prosecutrix and catching hold of her by her wrist, prima facie, makes out a case under Section 354 IPC and investigation, till date, is not complete nor charge sheet filed.

5. Taking into considerations the submissions made by learned counsel for the parties, particularly taking into consideration the nature and extent of criminal overt act alleged against the applicant which is not beyond catching hold of wrist, though charge sheet has not been filed, further custodial interrogation does not appear to be necessary at this stage. Therefore, 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.
7. If the applicant attempts to approach or meet the prosecutrix or harass her in future, the prosecutrix and/or State shall be at liberty to apply for cancellation of bail and the bail granted to the applicant may be cancelled only on this ground.

Sd/-
(Manindra Mohan Shrivastava)
Judge