

(2018) 05 CHH CK 0201

**Chhattisgarh High Court****Case No:** Miscellaneous Criminal Case (MCRC) No. 2776 Of 2018

Kanhaiya Chouhan

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

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**Date of Decision:** May 23, 2018**Acts Referred:**

- Indian Penal Code, 1860 - Section 34, 323, 54A, 384, 506
- Code Of Criminal Procedure, 1973 - Section 439

**Hon'ble Judges:** Prashant Kumar Mishra, J**Bench:** Single Bench**Advocate:** Ishwar Jaiswal, Gary Mukhopadhyay**Final Decision:** Allowed

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**Judgement**

1. The applicant has preferred this bail application under Section 439 of the Cr.P.C., as he has been arrested in connection with Crime No. 56/2018,

registered at Police Station Bhupdeopur, District Raigarh (C.G.) for the offence punishable under Sections 384, 354-A, 506, 323/34 of Indian Penal Code.

2. The case diary would reveal that when the complainant Jamwati and one Madan Yadav had gone to Ram Jharna, the accused persons tried to extort Rs. 200/- and outraged her modesty by catching hold of her hand and trying to take her to forest area.

3. Considering the entire facts of the case that the applicant is in jail since 13.03.2018 and the offences are triable before the Judicial Magistrate First

Class and also the fact that applicant does not have any previous criminal antecedent of commission of offence of any similar nature of crime or any

heinous crime, therefore, this Court is inclined to release the applicant on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.