

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3857of 2015**

- Tulsiram Yalam, S/o Late Ramaya, 42 years, Assistant Hostel Superintendent, Vill. Jaytaloor, Tah., P.S. & Rev. Distt. - Bijapur, Civil Distt. Dantewara (C.G.)

**---- Applicant****Versus**

- State Of Chhattisgarh Through: P.S. Bijapur, Distt. Bijapur (C.G.)

**---- Non-applicant**


---

For Applicant: Mr. Keshav Dewangan, Advocate.  
For Respondent/State: Mr. Vivek Singhal, Panel Lawyer

---

**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****10/08/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.03/2015 registered at Police Station Bijapur, District Bijapur for the offences punishable under Sections 354(A)(i) of the Indian Penal Code and Sections 8 & 9 of the Protection of Children from Sexual Offences Act, 2012.

(2) Case of the prosecution is that on 11.12.2014 applicant, who is working as Assistant Hostel Superintendent, is said to have outraged the modesty of the minor girl and, thereby,

committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant is working as Assistant Hostel Superintendent and he has not committed any offence. He further submits that there is delay of 25 days in lodging the First Information Report as the incident has occurred on 11.12.2014 whereas FIR has been lodged on 5.1.2015 without any explanation and, in the departmental enquiry initiated against the applicant, the prosecutrix has not supported the case of the prosecution and, therefore, he may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case and the manner in which the applicant, while working as Assistant Hostel Superintendent of the Girls Hostel, is said to have outraged the modesty of the prosecutrix, who is said to be the minor on the date of offence and the other material collected by the prosecution against the applicant, I am not inclined to release the applicant on bail. Therefore, the bail application is rejected.

Certified copy, as per rules.

Sd/-  
(Sanjay K. Agrawal)  
Judge

D/-