

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5892 of 2015

1. Ghanshyam Meravi, S/o. Shersingh Meravi, aged about 19 years, R/o. Nawagaon, Police Station – Salhewara, District Rajnandgaon (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station Salhewara, District Rajnandgaon (C.G.)

---- Respondent

For Applicant	: Mr. Abhisek Sharma, Advocate
For Respondent/State	: Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.45/2015, registered at Police Station – Salhewara, District Rajnandgaon (C.G.) for the offence punishable under Section 354-A(1) (i) of Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that on 16.09.2015, the daughter of the complainant was sitting in grossery shop at that time, the applicant came there and caught hold of her hand with intent to outrage her modesty. The incident was narrated by the girl to her father and the matter was reported and after investigation the offence has been registered and the charge sheet has been filed.

3. Learned counsel for the applicant would submit that the incident happened because the Ganesh festival being performed in front of shop, which resulted into dispute and the applicant was inculpated in false case. He would further submit that the applicant is a student of Class-12th and he is in jail since 19.09.2015. Therefore, the counsel prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the degree of allegation made that the applicant has caught hold the hand of the girl and considering the fact that the applicant is a student of Class-12th, the charge sheet has been filed and the applicant is in jail since 19.09.2015, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge