

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6385 of 2015

1. Siddhant Ahuja, S/o. Ashok Ahuja, Aged About 18 Years,
 2. Bhachendra Ahuja, S/o. Hariram Ahuja, Aged About 19 Years,
- Both are R/o. Village Belsari, P.S. Takhatpur, Civil & Revenue District Bilaspur, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through the Station House Officer, P.S. Takhatpur, Civil & Revenue District Bilaspur, Chhattisgarh.

---- Respondent

For Applicants : Mr. Paras Mani Shriwas, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.270/2015 registered at Police Station- Takhatpur, District Bilaspur (C.G.) for the offence punishable under Sections 354, 323, 34 of Indian Penal Code & Section 11, 12 of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, in brief, on 03.10.2015 the applicants stopped the complainant and dragged her by her hand and thereafter tried to outrage her modesty. Subsequently, the FIR was lodged on the same day and the applicants were arrested.
3. Learned counsel for the applicants submits that the applicants are students and the charge sheet has been filed in this case. He further submits that there is no apprehension of tampering the

evidence and considering their detention, they may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the charge sheet has been filed and considering the degree of allegation leveled against the applicant and further taking into account their detention as they are in jail since 04.10.2015, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge