

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6519 of 2015

Kishan Varma, S/o. Maniram Varma, Aged About 19 Years, R/o. Sakin
Dhaurabahata, P.S. Ghumka, Civil & Revenu Distt. Rajnandgaon,
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through P.S. Ghumka, Civil & Revenue Distt.
Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant : Mr. Akhilesh Kumar, Advocate

For Respondent : Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.119/2015 registered at Police Station- Ghumka, District Rajnandgaon (C.G.) for the offence punishable under Section 354(C), 354(D), 506 of Indian Penal Code and Section 12 of Protection of Children from Sexual Offences Act.
2. As per the prosecution case, in brief, on 20.10.2015 a report was lodged by Shiv Kumar Varma that her daughter who is minor, in the morning at 7 AM went to answer the call of nature, at that time, she was followed by the applicant and thereafter when she tried to escape the applicant followed her and threatened her that if she discloses the fact she will face dire consequences.
3. Learned counsel for the applicant submits that no evidence is available against this applicant and he has been falsely implicated

and only on the presumption, the case has been registered.
Therefore, he 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 statement of the prosecutrix; taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of the offence and the manner in which the offence is alleged to be committed and taking into fact that the applicant is in jail since 26.10.2015, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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