

HIGH COURT OF CHHATTISGARH, BIL

Order Sheet

MCRC No. 7200 of 2015

- Roop Kumar Sharma S/o Manju Ram Sharma Aged About 56 Years R/o Sundripara, Mova, Police Station Pandri, Raipur, Civil & Rev. District Raipur (Chhattisgarh). --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, P.S. Pandri, Raipur, Distt. Raipur, Chhattisgarh. --- **Respondent**

23.12.2015	Mr. P.P. Sahu, counsel for the applicant. Mr. S.R.J. Jaiswal, Panel Lawyer, Advocate. This is the first bail application filed under section 439 of the Code of Criminal Procedure Code seeking grant of bail in connection with Crime No. 233 of 2015 registered at P.S. Pandri Raipur, District Raipur Chhattisgarh (C.G), for the offence punishable u/s 354-A of IPC and Section 8 of Protection of Children from Sexual Offences Act. As per the prosecution case, a report was made by the mother of victim that on 26.09.2015 at about 5 p.m., her husband has gone on some duty. Her two children Tikeshwar and victim daughter aged about 5 years were playing outside the house. When the complainant has gone to the roof of her house, she saw the auto which was standing on a plain area in front of her house. She saw that in the auto, her daughter aged about 5 years was made to sit on the	

Rao	thigh of the applicant and on raising alarm, the victim came to her mother and started weeping. On being inquired from her daughter, it was stated that the applicant asked her to touch his private parts. Learned counsel for the applicants submits that the applicant has been falsely implicated in this case and no sort of incident has happened with the baby girl and the applicant is in jail since 27.09.2015, therefore, he may be enlarged on bail. Per contra, learned State Counsel opposes the bail application. Perused the statement of victim girl of aged about 5 years wherein she has stated that sexual act was committed. Considering the statement of victim girl and other evidence available in the case diary, I am not inclined to allow this bail petition. Accordingly, it is rejected. Sd/- GOUTAM BHADURI JUDGE	
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