

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7114 of 2015

Balbhadra Prasad Chandra S/o Late Chaturbhujlal Chandra Aged
About 66 Years By Caste Chandranahu, R/o Village Bardula, P.S. -
Kosir, Tahsil Sarangarh, Civil & Revenue Distt. Raigarh
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through S. H. O., Police Station - Kosir, Distt.
Raigarh Chhattisgarh

---- Respondent

For applicant - Shri Awadh Tripathi, Advocate.
For Respondent/State – Shri Vinod Tekam, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

21/12/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 67/2015 registered in Police Station Kosir, Distt. Raigarh (C.G.). for offence punishable under section 376 (2)(i) (j) of IPC, section 67, 67(a) of I.T. Act and section 3, 4 of the POCSO Act, 2012.
2. As per the prosecution case, applicant retired government officer down loaded the obscene photograph of the prosecutrix and displayed it to two persons Barat Ram and Mohan Sahu and the case of rape has been alleged against Saurabh and Vasu by the prosecutrix.
3. Learned counsel for the applicant submits that applicant has been falsely implicated in this case as the mobile which was seized, photographs were not found in the mobile and the allegations are that photographs have been deleted but the person Barat Ram and Mohan Sahu who were given land on adhiya by this applicant have falsely implicated the applicant in this case, therefore, the applicant may be

released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Having regard to the nature and degree of allegations, considering the facts and circumstances of the case, taking into account detention of the applicant that he is in jail since 27/10/2015, without any observation on merits, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE