

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6888 of 2015

Parmendra Netam S/o Balram Netam Aged About 28 Years R/o
Village - Hardibay, Police Station - Mainpur, Tahsil - Mainpur District -
Gariyaband (Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh Through Police Station - Gariyaband District -
Gariyaband (Chhattisgarh)

---- Respondent

For applicant - Shri Mohammad Afroz Athar, Advocate.
For Respondent/State – Shri Vivek Singhal, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/12/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 142/2015 registered in Police Station Gariyaband R. District Gariyaband C. Distt. Raipur for offence punishable under section 354 (B), 511 of IPC and 8 POCSO Act.
2. As per the prosecution case on 18/09/2015 the victim who was student of Class-9 since the motorcycle of father was not available, therefore his father requested the applicant to leave the victim and her brother to the school and thereafter they boarded the motorcycle and subsequently brother of the victim was left near Mandir and she was taken behind the jail, thereafter he tried to outrage the modesty of the prosecutrix, wherein she after raising alarm other persons came and the applicant fled away from the scene.
3. Learned counsel for the applicant submits that applicant has been falsely implicated in this case and charge sheet in this case has been filed. He submits that statement of the prosecutrix would go to show that

false allegation has been made against the applicant, therefore he may be released on bail.

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

5. I have gone through the statement of the prosecutrix. Taking in to account facts and circumstances of the case, also considering the gravity and nature of allegations, charge sheet having been filed and applicant is in jail since 18/09/2015, 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