

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 169 of 2016

Panchu Verma, S/o. Bisouha Ram Verma, Aged About 32 Years, R/o. Village- Dhourabhatha, P.S.- Ghumka, Tahsil & District- Rajnandgaon, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, P.S.- Ghumka, District- Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant : Mr. F.S.Khare, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27.01.2016

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.121/2015, registered at Police Station– Ghumka, District Rajnandgaon (C.G.) for the offence punishable under Section 354, 451 of Indian Penal Code & under Section 12 of Protection of Children from Sexual Offence Act, 2012.
2. Case of the prosecution, in brief, is that the applicant went inside the house of the prosecutrix/victim on 27.10.2015 and caught hold of her hand and tried to drag her outside being the minor and thereby tried to outrage her modesty.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case as on 26.10.2015 a day before the alleged incident, a report was made against Mama of the

prosecutrix by cousin sister of the present applicant, therefore, a false report has been made against this applicant and, as such, 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 facts and circumstances of the case and considering the nature of allegation and the degree of offence and further considering the fact that the applicant is in jail since 01.01.2016, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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