

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C.No.1480 of 2016**

Sarvesh Kumar Premi S/o Shri Satish Chandra Premi, aged about 31 years, R/o Surabhi Colony, Dantewada, Thana-Dantewada, District-South Bastar-Dantewada (CG)

---Applicant

**Versus**

State of Chhattisgarh Through: Police Station Dantewada, District-South Bastar Dantewada (CG)

---Non-applicant

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|-------------------|---|---------------------------------|
| For Applicant     | : | Mr. Shrawan Agrawal, Advocate   |
| For Non-applicant | : | Mr. Avinash Singh, Panel Lawyer |

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**Hon'ble Shri Justice Sanjay K. Agrawal**

**Order on Board**

**30/03/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.21/2016, registered at Police Station-Dantewada, District-South Bastar Dantewada (CG), for the offence punishable under Sections 354-A & 509 of the IPC and Sections 8, 10 and 12 of the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that the applicant being a teacher of the school sexually harassed three minor complainants studying in the school and thereby committed the offences.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that there is

delay of more than ten months in lodging the F.I.R. as incident took place on 7.4.2015 and F.I.R. has been lodged on 20.2.2016. The applicant is sincere teacher and is in jail since 22.2.2016. No useful purpose will be served by keeping him in jail, therefore, he may be released on regular bail.

4. On the other hand, learned State counsel would oppose the bail application and submit that investigation has not been completed as yet and charge-sheet has not been filed. He would further submit that if the applicant is released on bail, he is likely to temper the evidence and will seriously affect the witnesses including minor complainants studying in the school, therefore, bail may not be granted to him.

5. I have heard learned counsel for the parties and perused the case diary.

6. Taking into consideration the nature & gravity of the offence, facts & circumstances of the case and the manner in which the applicant is said to have been sexually assaulted three minor complainants, I do not find any ground for grant of regular bail to the applicant. Consequently, bail application filed on behalf of the applicant is rejected. However, the applicant is at liberty to repeat the same if any change in circumstances arises.

**Sd/-**

**(Sanjay K. Agrawal)**  
**JUDGE**

B/-