

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2406 of 2016

Bhagwati Prasad Arya S/o Latkhor Singh Arya Aged About 44 Years
Peon, Primary School, Pangri Tahsil Ambagarh Chowki, District
Rajnandgaon, Chhattisgarh. R/o Ward No. 3, Tribal Colony,
Ambagarh Chowki, District Rajnandgaon Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Ambagarh Chowki, District Rajnandgaon, Chhattisgarh.

---- Respondent

For applicant - Shri B.P. Singh, Advocate.
For Respondent/State – Shri Lav Sharma, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

13/06/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 64/2016 registered in Police Station Ambagarh Chowki, District Rajnandgaon (C.G.) for offence punishable under sections 354 of Indian Penal Code & Section 8, 12 of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case on 11/03/2016 the applicant caught hold of the face of the prosecutrix who is minor of 12 years and 3 months and pressed her cheek, thereby tried to outrage her modesty and thereby the offence is committed.
3. Learned counsel for the applicant submits that the applicant is in jail since 6/04/2016 and charge sheet has been filed and no further evidence is required. Considering the degree of allegation, the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. I have perused the statement of the prosecutrix wherein it is stated that the applicant caught hold of face of the prosecutrix and pressed her cheek. Taking into account statement of the prosecutrix and also for the fact that charge sheet has been filed and applicant is in jail since 6/04/2016, 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