

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2504 of 2016

1. Teejram Sahu, S/o. Rameshwar Sahu, aged about 22 years, R/o. Sakin Sarseewa, P.S. and Post Sarshiva, Civil and Revenue District-Bhatapara (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station – Sharshiva, District – Balodabazar (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Manoj Paranjpe, Advocate
For Respondent/State	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27/06/2016

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.54/2016, registered at Police Station – Sarshiva, District – Balodabazar (C.G.) for the offence punishable under Section 354, 323 R/w. 34 of Indian Penal Code and 12 and 18 of the Prevention of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that on 22.03.2016, while the girl was returning home, the applicant caught hold of her and stated that he loves her and tried to drag her. Thereby tried to outrage the modesty of the girl. Subsequently *marpit* also took place between the brother of the victim and the applicant.

3. Learned counsel for the applicant submits that the applicant is only boy of 22 years and no serious sexual overt act has been alleged against the applicant. He further submits that charge-sheet in this case has been filed and the applicant is in jail since 25.03.2016, therefore, the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the statement. Considering the statement of the prosecutrix, the nature of offence and the degree of allegation levelled against the applicant and the fact that charge-sheet in this case has been filed and the applicant is in jail since 25.06.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular 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