

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3185 of 2016

- Chandradev Sonwani S/O Late Shri Dhanesh Sonwani Aged About 19 Years R/O Ward No. 10, Bazarpara, Kusmi, P.S. Kusmi, Distt. Balrampur-Ramanujganj Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Kusmi Distt. Balrampur-Ramanujganj Chhattisgarh.

---- Respondent

For Applicant : Mr. Jitendra Shrivastava, Advocate

For Respondent/State : Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.06.2016

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 on 16-3-2016 in connection with Crime No. 12 of 2016, registered at Police Station Kusmi, District Balrampur, Ramanujganj (C.G.) for the offence punishable under Sections 354, 354 (g) & 454 of the IPC and Sections 7, 8, 11 (iv) & 12 of the Protection of Children from Sexual Offences Act, 2012.
2. As per prosecution case, on 11-3-2016 the applicant entered into the house of the victim, who is a minor girl and misbehaved with her and outraged her modesty and tried to drag her by catching her hand and on being raised alarm, the applicant fled away from the spot and thereby he committed the aforesaid offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and has been falsely implicated in the case. He further submits that the charge-sheet has been filed,

the applicant is in jail since 16-3-2016 and no further investigation is necessary, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary and the documents.
6. Taking into consideration the facts and circumstances of the case, degree of offence and nature of allegation leveled against the applicant and further considering the fact that charge-sheet has been filed and the applicant is in jail since 16-3-2015, , 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 and it is directed that the 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.

Sd/-
(Goutam Bhaduri)
Judge