

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3498 of 2016

- Ramnarayan @ Ramu S/o Rajkishore Aged About 21 Years
Caste Kumhar, R/o Village Tangargaon, P.S. Kansabel, District
Jashpur, Civil & Revenue District Jashpur, Chhattisgarh.

---- Petitioner

Versus

- State of Chhattisgarh through Police Station Kansabel,
District Jashpur, Chhattisgarh.

--- Respondent

For the applicant	:	Mr. A.K. Prasad, Advocate
For the Respondent	:	Mr. Omprakash Sahu, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

11.07.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 100/2016 registered at P.S. Kansabel, District Jashpur (C.G) for the offence punishable under Sections 363 & 354 IPC & Section 8 of the Protection of Children from Sexual Offences Act.
2. As per the prosecution case, the victim girl was aged about 16 years and was studying 10th Class. It is alleged that when she was standing near road side on 29.04.2016 the applicant came there and told her that he loves her and asked her to elope with him. However, when the prosecutrix denied, he forcibly took the prosecutrix and made to sit her on scooty and when she denied to go with him, she was threatened and was forcibly taken to the house of his friend where they stayed in the night and kissed her, thereby he tried to outrage the modesty of the girl.

3. Learned counsel for the applicant submits that the applicant and the victim were in love relations and no sexual overt act was committed by him. It is further submitted that the charge sheet in this case has been filed and the applicant is in jail since 01.05.2016, therefore, he may be enlarged on bail
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the statements of the girl recorded u/s 161 & 164 Cr.P.C.
6. Considering the facts and circumstances of the case and degree of allegations levelled against the applicant and the fact no sexual overt act has been attributed to the applicant as also the fact that the charge sheet in the case has been filed and no further investigation is necessary and the applicant is stated to be in jail since 01.05.2016, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE