

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3833 of 2016

- Uttam Chand @ Utu Hirwani S/o Late Rupchand Hirwani Aged About 52 Years R/o Chakarbhatha Near Jhulelal Mandir, Police Station Chakarbhatha, District Bilaspur, Chhattisgarh.----
Petitioner

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Chakarbhatha, District Bilaspur, Chhattisgarh. ---
Respondent

For the applicant	:	Mr. Guru Prasad Kurre Advocate
For the Respondent	:	Mr. Lav Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.07.2016

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. 177 of 2016 registered at P.S. Chakarbhatha, Distt. Bilaspur (C.G) for the offence punishable under Sections 354, 354(A), 294, 323, 506/34 of IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, on 30.05.2016 two victim girls aged about 7 years & 8 years were coming from the market. At that time the applicant along-with two accused met them and told that they would get something for them and took them behind a superstructure and thereafter the applicant took out his penis and tried to rub it on the parts of the girls. At that time, when the brother of victims came and saw the incident the applicant rushed to flee away and in that process, he dashed the brother of victims.
3. Learned counsel for the applicant submits that the applicant

has been falsely implicated in this case and because of earlier enmity false allegations have been made.

4. Perused the documents and the statements of victim girls who are aged about 7 years & 8 years.
5. Per contra, learned State Counsel vehemently opposes the bail application.
6. Considering the way the offence has been committed and taking into the statements of girls recorded u/ss 161 & 164 Cr.P.C., I am not inclined to release the applicant on bail. Accordingly, this bail application is dismissed.

Sd/-
GOUTAM BHADURI
JUDGE