

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3935 of 2016

Shubham @ Pankaj Dubey S/o Ravishankar Dubey Aged About 22
Years R/o Barkela, Police Station - Darima, District - Surguja
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Officer, Police
Station - Ambikapur, District Surguja Chhattisgarh

---- Respondent

For applicant - Shri Ajay Kumar Pandey, Advocate.
For Respondent/State – Shri Vivek Singhal, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

21/07/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.272/2016 registered in Police Station Ambikapur, District Surguja (C.G.) for offence punishable under sections 354, 323, 506 of Indian Penal Code and Section 7, 8 of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, complaint was made by the complainant that on 30/04/2016 the applicant had went to call her friend Ranu when Ranu was about to sit in the motorcycle of the applicant it was objected by the complainant and at that time applicant caught hold of the hand of the complainant, dragged her towards back of the house and assaulted and when she resisted and raised alarm, different persons came and who intervened and thereby she was saved. Thereby the applicant tried to outrage modesty of the complainant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the complainant was aged about

18 years and no case under the POCSO is made out. It is further submitted that there is some dispute arose and therefore false allegations have been attributed against the applicant, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of the complainant. After perusal of the statement, considering the degree of allegations and also considering the facts and circumstances of the case, 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