

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4358 of 2016

- Rakesh Ogare S/o Shankar Ogare Aged About 20 Years Caste Satnami, R/o Village Bidavari, P.S. Chhuikhadan, District Rajnandgaon, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through The Station House Officer, P.S. Chhuikhadan, District Rajnandgaon, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. C. K. Kesarwani, Advocate
For the Respondent	:	Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.08.2016

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. 151 of 2016 registered at P.S. Chhuikhadan, Distt. Rajnandgaon (C.G) for the offence punishable under Sections 457, 354, 354-A of IPC and Sections 8 & 12 of the Protection of Children from Sexual Offences Act.
2. As per the prosecution case, on 15.06.2016 at about 7.30 p.m., while the victim was watching TV in her house, the applicant entered into her room and asked for sexual favour. Thereafter he caught hold of her hand and forcibly dragged her into room and made her lie on the cot. When the victim resisted and raised alarm, the applicant ran away.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated; charge sheet has been filed and no further investigation is necessary and a compromise has been effected between the parties, therefore, the applicant be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of prosecutrix.
6. Taking into consideration the degree of allegations and the fact that the charge sheet in this case has been filed, no further investigation is necessary and further a compromise has been arrived at between the parties and looking to the period of detention of the applicant as he is stated to be in jail since 16.06.2017, I am inclined to allow this bail application.
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