

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2412 of 2016

Jagesh Chelak, Aged About 19 Years S/o Late Udayshankar Chelak
R/o Purani Basti, Baloda Bazaar, P.S. City Kotwali, Baloda Bazaar,
District Baloda Bazar Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through P.S. City Kotwali, Baloda Bazar,
District - Baloda Bazar Bhatapara Chhattisgarh.

---- Respondent

For applicant - Shri Pawan Kesharwani, Advocate.
For Respondent/State – Miss. K. Tripathi Rao, PL for the State.

Hon'ble Shri Justice Goutam Bhaduri

Order

20/06/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 112/2016 registered in Police Station City Kotwali Baloda Bazaar (C.G.) for offence punishable under sections 354, 342 of IPC and Section 8 of Protection of Children from Sexual Offence Act, 2012.
2. As per the prosecution case on 26/03/2016 the victim who was stated to be minor while was going to grocery shop the applicant caught hold of her and dragged to his house and tried to outrage her modesty. Thereby, offence is committed.
3. Learned counsel for the applicant submits that divergent statement have been made under Section 161 and 164 of Cr.P.C. and the applicant and the victim were known to each other and the way the offence has been committed it is not viable that at 12'o clock girl may be dragged in such a way as it has been stated. Therefore, learned counsel submits that the applicant may be released on bail.

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

5. I have perused the case diary as also statement of the victim under Section 161 and 164 of Cr.P.C. Considering such statement, background of this case, degree of offence and also taking into fact that applicant is in jail since 27/03/2016, 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