

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5857 of 2016

- Parmeshwar @ Nanu Khunte S/o Santram Khunte Aged About 31 Years Occupation - Laborer, R/o - Village - Aurda, P/S. And Tahsil - Kharsia, District - Raigarh Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh through : S. H. O. Of The Police Station - Kharsia, District - Raigarh Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Abhishek Saraf, Advocate
For the Respondent	:	Mrs. Shobha Kashyap, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.09.2016

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.336/2016 registered at P.S. Kharsia, District Raigarh (C.G) for the offence punishable under Sections 354(B), 363 of the IPC & Sections 8 & 12 of the Protection of Children from Sexual Offences Act.
2. As per the prosecution case, a report was made by the prosecutrix that on 19.08.2016 while she was roaming in the village, the applicant came on motorcycle and asked her to accompany and the victim boarded the motorcycle. Thereafter, the applicant took her besides a canal and at a lone place he stopped the vehicle and caught hold of her, pressed her breasts and tried to take out the clothes. Subsequently when the applicant saw someone coming, he left the victim and as such the report was filed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated and the statement of the girl has

already been recorded, therefore, no further investigation is necessary and the applicant may be released on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of the victim.
6. Considering the degree of allegations leveled against the applicant and the fact that the applicant is in jail since 20.08.2016, 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