

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.6432 of 2016**

- Shiva Mandavi S/o Rajesh Mandavi Aged About 19 Years R/o Tikripara, Ward No. 11, Chhuikhadan, Police Station & Tahsil- Chhuikhadan, District- Rajnandgaon, Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station- Chhuikhadan, District: Rajnandgaon, Chhattisgarh.

---- Respondent

For Petitioner	:	Shri Abhishek Sharma, Advocate
For Respondent/State	:	Shri Manish Nigam, PL

S.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****18/10/2016**

Heard.

2. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.203/2016 registered at Police Station Chhuikhadan District Rajnandgaon for the offence punishable under Section 509 of IPC, Section 12 of the Protection of Children from Sexual Offences Act, 2012 and Section 67 of Information and Technology Act, 2000. The applicant has been arrested on 23-08-2016.

3. As per the prosecution case, the applicant on mobile phone called the prosecutrix and made indecent proposal to the prosecutrix.

4. Learned counsel for the applicant would submit that the present is a case of false implication because the applicant was an employee of the uncle of the prosecutrix. He submits that the nature of allegation leveled against the applicant are not clear in the statement of the prosecutrix and the certificate of

the authority as required under Section 65(B) of the Evidence Act is not attached along with the charge sheet.

5. On the other hand, learned State counsel opposes the prayer for grant of bail.

6. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that further detention of the applicant is not necessary for completion of investigation and filing of charge sheet, I am inclined to release the applicant on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(**Manindra Mohan Shrivastava**)
J U D G E