

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6625 of 2016

1. Uttam Chandrakar S/o Late Radhe Chandrakar Aged About 25 Years R/o Goverdhan Chowk Baigapara, Durg, Police Station & Tahsil Durg, District Durg Chhattisgarh
2. Rikhi Yadav S/o Mangal Yadav Aged About 21 Years R/o Goverdhan Chowk Baigapara, Durg, Police Station & Tahsil Durg, District Durg Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through : Station House Officer, Police Station Durg,
District Durg Chhattisgarh

---- Respondent

For Applicants	:	Shri A.C. Sahu, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

24/10/2016

Heard.

1. The applicants have been arrested in connection with Crime No. 211 of 2016 registered in Police Station- Durg, for the alleged commission of offence under Section 354-D read with Section 34 IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the applicants intercepted the prosecutrix aged 13 years when she was returning from tuition and used indecent language.
3. Learned counsel for the applicants submits that only allegation against the applicants is of stalking and nothing more. It is submitted that the investigation

is complete, charge sheet has been filed, that there are no previous antecedents of such a nature and looking to the age of the applicants, the applicants may be released on bail.

4. Taking into consideration the submissions made by learned counsel for the parties, taking into consideration the totality of the circumstances and that the applicants are in jail since 1.9.2016, investigation is complete and charge sheet has been filed, the application is allowed.
5. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
 - (iii) In case the prosecutrix makes any new allegation of fresh act of similar nature against the applicants, the bail granted to the applicants shall be liable to be cancelled.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge