

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6705 of 2016

- Dr. Ramesh Prasad Diwedi S/o Vrindavan Prasad Diwedi Aged About 55 Years R/o Plot No. 627 / 43 Awadhpuri, Risali, Police Station Navai Tah. & District - Durg Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through : Police Station - Newai District Durg Chhattisgarh

---- Respondent

For Applicant	:	Mr. Devershi Thakur, Advocate
For Respondent/State	:	Mr. D.R. Minj, Dy. Govt. Advocate

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

Order On Board

28/11/2016

Heard.

1. The applicant has been arrested on 16.08.2016 in connection with Crime No.223 of 2016, registered in Police Station- Nevai, District - Durg (C.G.) for the alleged commission of offence under Sections 353, 354(A) of the IPC and Section 11 and 12 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the applicant, being a teacher, had molested some of the girls student who are minor in age and were under his control during teaching in the class.
3. Learned counsel for the applicant submits that the allegations are falsely exaggerated and lodged on the insistence of the Principal without following the procedure prescribed in the Corporal Punishment Guidelines. It is next submitted that looking to the overt act alleged to be committed by the applicant and the maximum punishment which could be provided for such offence is of 3 years and also that the investigation is complete and charge-sheet has been filed and there is no likelihood of absconding of the applicant, the application may be allowed.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Considering the statement of the prosecutrix girls and the alleged act of the applicant, I am not inclined to release the applicant on bail. The bail application is accordingly rejected. However, in case of delay in conclusion of trial, applicant may revive the application.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Chandra