

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6952 of 2015

- Sangam Kumar Malik S/o Sunil Kumar Malik Aged About 25 Years R/o Q.No.556/2 Railway Colony P.S. Torwa Tahsil Bilaspur Civil And Revenue District Bilaspur, Chhattisgarh

--- Petitioner

Versus

- State of Chhattisgarh Through: The Police Station Torwa, District Bilaspur, Chhattisgarh

--- Respondent

For the applicant	:	Mr. Pravin Tulsyan, Advocate
For the Respondent	:	Mr. SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.01.2016

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 307/2015 registered at P.S. Torwa, Distt. Bilaspur (C.G) for the offence punishable under Section 354 IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of prosecution, in brief, is that a report was lodged by the complainant that on 14.11.2015 while she was going to Temple, her neighbour the applicant herein, followed her and started eve-teasing, however, she did not give any attention. On the way, when she reached to a garden, the applicant caught hold of her hand and tried to outrage her modesty, thereby, the offence is committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case as the mother of the complainant has obtained loan from the mother of the present applicant which has ultimately led to a dispute. He

further submits that according to the prosecution case itself, the said previous enmity is writ large from the charge sheet, therefore, he may be enlarged on bail.

4. Learned State Counsel opposes the bail application. However, no objection has been filed on behalf of the complainant to oppose the bail.
5. Having regard to the facts and circumstances of the case and taking into the degree of the allegations as also the fact that the charge sheet in this case has been filed which is not disputed by the State Counsel and further looking to the detention period of the applicant as he is stated to be in jail since 16.11.2015, I am inclined to release the applicant on bail. Accordingly, this application is allowed.
6. 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.
7. C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**