

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7332 of 2015

1. Vijay Thakur, S/o. Ram Sai Thakur, aged about 35 years, R/o. Village-Patora, Madhupara, P.S. - Lundra, District – Sarguja (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station – Lundra, District – Sarguja (C.G.)

---- Respondent

For Applicant	: Mr. Jitendra Shrivastava, Advocate
For Respondent/State	: Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05/01/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.79/2015, registered at Police Station – Lundra, District – Sarguja (C.G.) for the offence punishable under Section 354, 323, 354 (क) (I) (II) of Indian Penal Code and Sections 8 & 9 (क) 10 of the POCSO Act, 2012.
2. Case of the prosecution, in brief, is that the applicant who is the father of the prosecutrix on 28.06.2015 tried to outrage the modesty of her daughter aged about 13 years.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that there has been some dispute in between father and the mother, consequently, false allegations have been made. He would further submit that charge sheet in this case has been filed and the applicant is in jail since 30.06.2015, therefore, he prays that the applicant may

be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. I have perused the statement of the victim and her sister, wherein they have supported the case of the prosecution. Considering the nature of the allegation levelled against the applicant and the gravity of the offence, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Balram