NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7457 of 2015

- Satyam Sagar @ Sagar S/o Shri Darash Ram Sagar Aged About 20 Years R/o Harijan Mohalla, Kharsia, P.S. , and Tahsil Kharsia, Civil and Rev. Distt. Raigarh Chhattisgarh. **--- Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, P.S. Kharsia, District Raigarh Chhattisgarh. **--- Respondent**

For the applicant : Mr. Abhishek Saraf, Advocate
For the Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06.01.2016

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. 436 of 2015 registered at P.S. Kharsia, Distt. Raigarh (C.G) for the offence punishable under Section 354-B IPC and Section 8 of POCSO Act.
2. Case of prosecution, in brief, is that on 16.09.2015 when the victim girl was in garden/park, the applicant caught hold of her and tried to outrage her modesty and she raised alarm. When the father of the girl came there, the applicant ran away from the place, therefore, the offence is committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the victim girl fell in love with the applicant and while both of them were roaming in the park/garden, they were caught red handed. He further submits that the charge sheet in this case has been filed and the applicant is in jail since 17.09.2015, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Taking into totality of the facts and circumstances of the case and the degree of allegations levelled against the applicant as also the fact that the charge sheet in this case has been filed and looking to the period of detention of the applicant, I am inclined to release him on bail.
6. Accordingly, the bail application is allowed and 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

Rao