

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7438 of 2015

Kunal Kumar S/o Sunil Prasad Yadav Aged About 19 Years R/o Chhapra Mohalla, House No. 06, Near Boring, Vrinda Nagar Camp-1, Bhilai, District Durg Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Chhawani, District Durg Chhattisgarh.

---- Respondent

For applicant - Shri B.P. Singh, Advocate.
For Respondent/State – Shri Ramakant Mishra, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

6/01/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 548/2015 registered in Police Station Chhawani, District Durg (C.G.) for offence punishable under section 354(B), 323, 294, 506 of Indian Penal Code and Section 7 & 8 of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case on 24/09/2015 the prosecutrix was returning from the coaching class, at that time the applicant caught hold of her and dragged her towards the temple and tried to outrage her modesty, when she refused she was slapped and her brother having intervened in the scene he was also slapped.
3. Learned counsel for the applicant submits that applicant is in jail since 25/09/2015 and he further submits that applicant is mentally retarded, charge sheet has been filed, therefore considering the fact that statement have already been recorded, applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. Having regard to the facts and circumstances of the case, degree of allegation against this applicant, charge sheet having been filed, also considering the age of the applicant and he is in jail since 25/09/2015, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE