

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2587 of 2016

- Vishwajeet Bhagat S/o Anil Kumar Bhagat Aged About 21 Years R/o Village Sureshpur, Thana - Pathalgaon, District Jaspur Chhattisgarh Civil & Rev. District Jashpur, Distt. Jashpur Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, P.S. Pathalgaon, Distt. Jashpur Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Manoj Chauhan, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.05.2016

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 193 of 2015 registered at P.S. Pathalgaon, Distt. Jashpur (C.G) for the offence punishable under Section 180, 294, 506, 323, 353, 354 & 354(A) of IPC and Section 12 of the Protection of Children from Sexual Offence Act, 2012.
2. The prosecution case, in brief, is that on 13.08.2015 the applicant entered into a class room of high school premises at Surajpur and thereafter misbehaved with certain girl students thereby tried to outrage the modesty of the students. The report was made and thereafter the accused persons were arrested.
3. Learned counsel for the applicant submits that the main alleged victims Sunita Jagat, Champa Yadav, Supriya Ekka, Sunita Vishwakarma and Jayanti Yadav have been examined as P.W.3, P.W.4, P.W.5, P.W.6 and P.W.8 respectively and

they have not supported the case of prosecution and have turned hostile, therefore, the applicants may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the statements of victims who have been examined as P.W.e, P.W.4, P.W.5, P.W.6 & P.W.8 which would go to show that the witnesses have turned hostile and they have not supported the case of prosecution.
6. Taking into consideration the totality of the circumstances and the fact especially considering the allegations made against the applicants and also the fact that the applicant is stated to be in jail since 14.08.2015, I am inclined to allow this bail application at this stage.
7. 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.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**