

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2924 of 2016

1. Roshan Bhatt, S/o. Manoj Bhatt, aged about 22 years, R/o. Sipkona,
P.S. - Patan, District-Durg (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station – Patan, District - Durg
(C.G.).

---- Respondent

For Applicant	: Mr. P.R. Patankar, Advocate
For Respondent/State	: Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/06/2016

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.35/2016, registered at Police Station – Patan, District – Durg (C.G.) for the offence punishable under Section 457 and 354 of the Indian Penal Code and Section 8 of POCSO Act, 2012.
2. Case of the prosecution, in brief, is that on 27.03.2016, the victim while was sleeping, the applicant entered into the house and pulled away the blanket and thereafter placed hand on her abdomen thereby tried to outrage the modesty of the victim.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 25.03.2016. The counsel submits that the applicant was in love affair with the victim, however, she was seen by the family members, therefore, the false report has been made, therefore, the applicant may be released 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.
6. Considering the statement of the prosecutrix and the fact that charge-sheet in this case has been filed, the applicant is in jail since 25.03.2016 and further taking in to the degree of allegation levelled against the applicant, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge