

MCRC No. 3326 of 2016

- Bablu Thakur @ Radheshyam Thkaur S/O Parsuram Thakur, Aged About 22 Years R/O Village Juna Karkoli, Police Office Bhatgaon, District Surajpur (Chhattisgarh), Civil District Surajpur, Revenue District Surajpur (Chhattisgarh).

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station Bhatgaon, District Surguja Chhattisgarh.

---- Respondent

For Applicant : Mr. A.K. Prasad, Advocate

For Respondent/State : Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05.07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 23-04-2016 in connection with Crime No. 81 of 2016, registered at Police Station Bhalgaon, District Surguja (CG), for the offence punishable under Sections 452, 354, 294, 323 of IPC and Section 8 of the Protection of Children from Sexual Offence Act, 2012.
2. As per prosecution case, on 21-04-2016 at about 8.00 am when the prosecutrix was alone in her house, at that time the applicant entered into her house and tried to outrage her modesty and on being objected by the aunt of the victim, she was assaulted and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant and the victim were in love relation, they were seen by the aunt of the victim and as such offence has been registered. He

would further submit that no further investigation is necessary, charge-sheet has been filed and the applicant is in jail since 23-04-2016, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Perused the statement of the victim.
7. Taking into consideration the totality of the circumstances, nature of allegation leveled against the applicant, considering the statements of the victim and further considering the fact that the charge-sheet has been filed and the applicant is in jail since 23-4-2016, I am inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju