

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3518 of 2016

- Vikram Tirkey S/O Johan Tirkey Aged About 41 Years Caste - Uraon, Occupation - Teacher (Panchayat), Pre - Middle School Dhodharamba, Resident Of Village - Bagicha, Police Station - Bagicha, District - Jashpur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh S/o Through : Station House Officer, Police Station - Bagicha, District - Jashpur Chhattisgarh

---- Respondent

For Applicant : Mr. J.K. Saxena, Advocate

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.07.2016

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 29-03-2016 in connection with Crime No. 55 of 2016, registered at Police Station Bagicha, District Jashpur (CG) for the offence punishable under Sections 354 (A)(4) of the IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012.
2. As per prosecution case, a report was made that the applicant who is a teacher after consuming liquor used to go to school and write "I Love You" on the black board and thereby he outraged modesty of the girl students.
3. Learned counsel appearing for the applicant would submit that no witness has stated that the applicant has outraged modesty of any girl student and only allegation against the applicant is that he has written some letters on the black board. He would further submit

that the charge-sheet has been filed in this case, he is in jail since 29-3-2016 and no further investigation is required, therefore, he may be released on bail.

4. *Per contra*, 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. Taking into consideration the facts and circumstances of the case, nature of allegation leveled against the applicant and considering the fact that the charge-sheet has been filed, the applicant is in jail since 29-3-2016, 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 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