

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3710 of 2016

- Chandra Kumar Barle S/O Lagva Das Barle Aged About 18 Years
R/O Village Nevaspur, P.S. Gandai, Tehsil Chhuikhadan, District
Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through P.S. Gandai, District Rajnandgaon,
Chhattisgarh.

---- Respondent

For Applicant : Mr. Manish Sharma, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.07.2016

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 8-6-2016 in connection with Crime No. 111 of 2016, registered at Police Station Gandai, District Rajnandgaon (CG) for the offence punishable under Sections 454, 354 of the IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. As per prosecution case, on 4-6-2016 the applicant entered into the house of the victim who was a minor girl and thereafter he pressed her breast and thereby he tried to outrage her modesty.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in this case, no such offence has been committed and the victim was in love relation with the applicant and thereafter due to some misunderstanding the report was made. He would further submit that the charge-sheet has

been filed in this case, the applicant is in jail since 8-6-2016 and no further investigation is required, 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 statements of the prosecutrix recorded under Section 161 and 164 of the Cr.P.C.
7. Taking into consideration the totality of the circumstances, nature of allegation leveled against the applicant and considering the statements of the prosecutrix, the charge-sheet has been filed and the applicant is in jail since 8-6-2016, 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