

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3830 of 2016

- Raja Yadav S/o Late Mannulal Yadav Aged About 30 Years R/o Ganesh Nagar, Ward No. 05, Jamul, P.S. Jamul, Tahsil & District Durg Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, P.S. - Jamul, District Durg Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Aman Kesarwani, Advocate
For the Respondent	:	Mr. Lav Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.07.2016

1. This is first 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. 266/2016 registered at P.S. Jamul, Distt. Durg (C.G) for the offence punishable under Sections 354 IPC and Sections 7 & 8 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, on 30.04.2016 a report was made that during celebration of a festival people gathered there and the applicant taking the advantage of the crowd caught hold of the hand of victim who was minor and pressed her breasts. Subsequently the victim had reported the fact to her mother and thereafter, the report was made and the applicant was taken into custody.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and during the celebration of festival, there was some crowd of people and the applicant and victim were part of such crowd where the

victim and applicant dashed against each other which has been given such colour and the applicant has not committed any offence. He further submits that the charge sheet has been filed; no further investigation is necessary and the applicant is in jail since 01.05.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and other documents.
6. Considering the degree of allegations levelled against the applicant and taking into fact that the charge sheet in this case has been filed and the applicant is stated to be in jail since 01.05.2016 and thus considering the totality of facts and circumstances of the case, I am inclined to release the applicant on bail.
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