

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4180 of 2016

Dhanraj Patre, S/o. Dularwa Patre, Aged About 22 Years, R/o. Janglor,
Police Station Palari, Civil & Revenue District Baloda Bazar/ Bhatapara,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station
Palari, Civil & Revenue District Baloda Bazar/ Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Mr. Janak Ram Verma, Advocate

For Respondent : Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28.07.2016

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 in connection with Crime No.203/2015 registered at Police Station- Palari, District Baloda Bazar/ Bhatapara (C.G.) for the offence punishable under Section 354 (B) of the Indian Penal Code and Section 8 of the Prevention of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that on 22.08.2015 the victim/ girl while was coming back after fetching water, at that time, the applicant met her in the road and caught hold of her hand and asked her whether she loves him or not and on having said no, the applicant thereafter went away.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated as no overt act has been committed

and considering the statement of the girl, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the victim/ girl wherein she has stated that the applicant has caught hold of her hand while she was coming back after fetching water. Taking into the nature of offence and degree of allegation, without any observation on merit, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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.

Sd/-
(Goutam Bhaduri)
Judge