

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4584 of 2016

- Krishna Murari Sharma S/O Ramyad Sharma Aged About 54 Years
R/O Kothiya House, Chandranagar Colony, Raigarh, Police Station
& Post Chakradharnagar, Raigarh, Civil & Revenue District Raigarh
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through : Police Station Chakradharnagar,
Raigarh, District Raigarh Chhattisgarh

---- Respondent

For Applicant : Mr. Manoj Paranjpe, Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17-08-2016

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 is in custody from 19-7-2016 in connection with Crime No. 7 of 2016, registered at Police Station Chakradharnagar, Raigarh, District Raigarh (CG) for the offence punishable under Sections 354, 354(a), 370 (a), 374 of IPC and Sections 7, 8, 10 & 17 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that a report was made on 2-1-2016 that prior to 23-12-2015, two girls namely Madhuri Manjhi and Preeti Bhagariya were hired for domestic help in the house of present applicant and thereafter they were subjected to torture and the present applicant committed sexual assault and when it was complained, he used to abuse them. An enquiry was made by Mahila Bal Kalyan Ashram, thereafter two girls were taken away and subsequently statements of the victim girls were recorded and FIR was registered.

3. Learned counsel appearing for the applicant would submit that charge sheet has been filed in this case and after rejection of the anticipatory bail the applicant surrendered before the court below on 19-7-2016 and since then he is in jail and no further investigation is required as statements of two victim girls were recorded. He would further submit that charge-sheet has been filed and no further investigation is required, therefore, the applicant may be enlarged on bail.
4. Per contra, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. Perused the statements of the victim girls.
7. Taking into consideration all the facts and circumstances of the case and further considering the statements of the victim girls and also the fact that charge-sheet has been filed and the applicant is in jail since 19-7-2016, 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