

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 4639 of 2016**

Purushottam Sahu, S/o. Sundarlal Sahu, Aged About 33 Years, R/o. Village Gunjera, O.P. Maro, Police Station Nandghat, District Bemetara, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through the Police Station Nandghat, District Bemetara, Chhattisgarh.

**---- Respondent**

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For Applicant : Mr. P.P.Sahu, Advocate

For Respondent : Mr. Lav Sharma, Panel Lawyer  
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**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 has been arrested in connection with Crime No.196/2016 registered at Police Station- Nandghat, District Bemetara (C.G.) for the offence punishable under Section 354 & 354(C) of Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, a report was made on 02.06.2016 by the prosecutrix that when the prosecutrix was taking bath at the pond, the applicant took her photographs and showed it to the victim and asked her to bring another girl to his home. Subsequently, on the next date when the applicant met with the girl/victim in the market, he caught hold of her hand and tried to outrage her modesty; thereby the offence has been committed.

3. Learned counsel for the applicant would submit that the girl who was alleged to be called has not supported the case of the prosecution and due to some animosity the false allegations have been leveled. He further submits that the charge sheet has been filed and the applicant is in jail since 06.06.2016, therefore, he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statement of the victim. Considering the nature of offence and degree of allegation and the fact that the charge sheet has been filed and no further investigation is necessary and further considering the detention of the applicant as he is in jail since 06.06.2016, 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