

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4687 of 2016

Sharad, S/o. Bhuneshwardas Vaishnav, Aged About 20 Years, R/o. Kariyatola, Police Station Dongargaon, District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Station Dongargaon, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Abhishek Sharma, Advocate

For Respondent : Ms. Shobha Kashyap, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.08.2016

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.400/2014 registered at Police Station- Dongargaon, District Rajnandgaon (C.G.) for the offence punishable under Section 354/34 of Indian Penal Code, Section 3(1)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Section 4, 7 of the Protection of Children from Sexual Offences Act, 2012 and Section 66(A)(D) of Information Technology Act, 2000.
2. Case of the prosecution, in brief, is that on 03.12.2014, the applicant outraged the modesty of the minor complainant and thereby committed the offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the case. He further submits that the similarly placed co-accused

has been enlarged on bail by the co-ordinate Bench of this Court on 14.03.2016 in M.Cr.C. No.1282 of 2016, therefore, the present applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, she do not dispute the fact that the similarly placed co-accused has been enlarged on bail by the co-ordinate Bench of this Court.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and the fact that the similarly placed co-accused has been enlarged on bail by the co-ordinate Bench, 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