

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7531 of 2015

Rakesh Patel S/o Chitrakhut Patel Aged About 37 Years R/o Village Injani, P.S. Chalghali, Distt. Balrampur Ramanujganj, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Chalghali, Distt. Balrampur Ramanujganj, Chhattisgarh.

---- Respondent

For applicant - Shri Jitendra Shrivastava, Advocate.
For Respondent/State – Miss. Sunita Jain, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

12/01/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 57/2015 registered in Police Station Chalgali Balrampur Ramanujganj for offence punishable under section 452 & 354 of Indian Penal Code and Section 8 of the POCSO Act.
2. As per the prosecution case on 7/11/2015 prosecutrix while was studying the applicant entered into the house and enquired about her father and thereafter caught hold of the hand of the prosecutrix and tried to kiss her. On alarm being raised, persons of the house came down and applicant fled away from the scene.
3. Learned counsel for the applicant submits that applicant has been falsely implicated in this case. He submits that incident was of 7/11/2015 but actually on 3/11/2015 the report was made by wife of the applicant against father of the prosecutrix as they were assaulted. FIR was lodged by the applicant. Learned counsel therefore submits that applicant has been falsely implicated in this case just to combat report made by the applicant and his wife, therefore, the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. I have perused the case diary. Charge sheet in this case has been filed and prima facie it appears that initial report was made by applicant and his wife. Taking into account applicant is in jail since 9/11/2015, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE