

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5283 of 2016

Rumesh Singh, S/o. Shri Pasindar Singh, Aged About 21 Years, R/o. Village- Khairbar Karonda Jhariya (Baunapara), Police Station Ambikapur, District Surguja, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station- Ambikapur, District Surguja, Chhattisgarh

---- Respondent

For Applicant : Mr. Bhupendra Singh, Advocate

For Respondent : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08.09.2016

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.457/2016 registered at Police Station- Ambikapur, Distt. Surguja (C.G.) for the offence punishable under Section 354, 294, 354(D) of Indian Penal Code and 8 of Protection of Children from Sexual Offences Act.
2. As per the prosecution case, on 04.07.2016 when the victim was going to answer the call of nature at that time the applicant caught hold of her hand and dragged her towards the pit and when the victim raised alarm, the applicant fled away; thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and no further investigation is required and the applicant is in jail since 07.07.2016, 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 facts and circumstances of the case, nature of offence and degree of allegation and the fact that the applicant is in jail since 07.07.2016, 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