

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5074 of 2016

- Vikash Vishwakarma S/o Ram Pyare Vishwakarma Aged About 21 Years R/o D.C. Road, Behind High School, In The House Of Mukund Parmar, Ambikapur, Distt. Surguja Chhattisgarh. --- **Applicants**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Ambikapur, Distt. Surguja Chhattisgarh. --- **Respondent**

For the applicant	:	Mrs. Indira Tripathi, Advocate
For the Respondent	:	Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

31.08.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 507/2016 registered at P.S. Ambikapur, Distt. Sarguja (C.G) for the offence punishable under Sections 354, 354-D of IPC & Sections 8 & 12 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, on 23.07.2016 a report was made by the complainant that when she was going to school on foot, the applicant followed her by cycle and caught hold of her hand and said that he loves the complaint. At that time when the friend of complainant namely Poonam Gupta came there and intervened, the applicant went away.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. She further submits that the charge sheet in this case has been filed and no further investigation is necessary, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of victim u/ss 161 & 164 Cr.P.C.
6. Taking into the degree of allegations and the fact that the charge sheet has been filed and the applicant is in jail since 26.07.2016, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

GOUTAM BHADURI
JUDGE