

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5161 of 2016

Shrawan Kumar Tunde, S/o. Shri Motilal Tunde, Aged About 20 Years,
Caste Chamar, R/o. Telaimuda (Uchhala Para) Police Station
Ramanujnagar, District Surajpur (C.G.)

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station
Ramanujnagar, District Surajpur (C.G.)

---- Respondent

For Applicant : Mr. Pushpendra Kumar Patel, Advocate

For Respondent : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05.09.2016

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.120/2016 registered at Police Station- Ramanujnagar, Distt. Surajpur (C.G.) for the offence punishable under Section 294, 354, 506 Part-2 of Indian Penal Code and under Section 8 of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, on 05.06.2016 the victim who is 16 years of age went to fetch water from the pump and while she was returning, the applicant intercepted her in the way and caught hold of her hand and stated that he want to love her and thereby tried to outrage her modesty.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the charge sheet in this case has

been filed and no further investigation is necessary, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the victim/girl. Considering the statement, facts and circumstances of the case, nature of offence and degree of allegation and further considering the fact that the applicant is in jail since 09.06.2016, 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