

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 5137 of 2016**

Kishan Sahu, S/o. Budhram Sahu, Aged About 18 Years 6 Months, R/o.  
Village Sevati, Post Hirri, Khairagarh Road, District Durg, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through Station House Officer, Police Station  
Outpost - Bori, P.S. - Pulgaon, District Durg, Chhattisgarh.

**---- Respondent**

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For Applicant : Mr. Sandeep Yadav, Advocate

For Respondent : Mr. Vinod Tekam, Panel Lawyer  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**06.09.2016**

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.41/2016 registered at Police Station- Pulgaon (Outpost- Bori), Distt. Durg (C.G.) for the offence punishable under Section 354 of Indian Penal Code, Section 11, 12 of the Protection of Children from Sexual Offences Act, 2012 and Section 3(1)(xi) of the Scheduled Caste & Scheduled Tribes (Prevention of Atrocities) Act.
2. As per the prosecution case, on 23.05.2016 when the victim girl who is 15 years of age went to the shop of the present applicant, she was dragged inside the shop and the shutter was closed and thereafter the applicant pressed her breast and kissed her and tried to open her garments and when she raised alarm the other persons came and the applicant was caught red-handed.

3. Learned counsel for the applicant would submit that the false allegations have been attributed against the applicant and no further evidence is required as the charge sheet has been filed, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and statement of the victim. Considering the facts and circumstances of the case, nature of offence and degree of allegation and the fact that the charge sheet has been filed, 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