

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

**MCRC No. 5357 of 2016**

- Montu Singh S/O Late Anil Singh Aged About 20 Years R/O Village-Sattipara, Police Station-Ambikapur, District-Sarguja, Chhattisgarh

---- Applicant

**Versus**

- State Of Chhattisgarh Through Station House Officer Police Station Ambikapur, District -Sarguja, Chhattisgarh

---- Respondent

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For Applicant : Mr. D.N. Prajapati, Advocate

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**14-09-2016**

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 on 10-06-2016 in connection with Crime No. 375 of 2016, registered at Police Station Ambikapur, District Sarguja (CG) for the offence punishable under Sections 354, 354-A, 354-D, 323/34 of the IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that a report was made by the victim girl that while the victim girl was going to school, applicant along with other co-accused persons used to show obscene gesture and pressed her back and thereby outraged her modesty. When it was objected by some of the relatives of the victim girl namely Rajesh, the applicant along with other co-accuse persons abused and assaulted him and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and he has not committed any offence. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 10-06-2016 and no further investigation is required, therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Perused the statements of the victim girl recorded under Sections 161 and 164 of the Cr.P.C.,
7. Taking into consideration the facts and circumstances of the case, considering the degree of allegations and further considering the statements of the victim girl recorded under Sections 161 and 164 of the Cr.P.C., and also the fact that charge-sheet in this case has been filed and the applicant is in jail since 10-06-2016, this court is inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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.

Certified copy as per rules.

Sd/-  
**(Goutam Bhaduri)**  
Judge

Raju

