

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5261 of 2016

- Trilok Prasad S/o Ashok Prasad, Aged About 20 Years R/o Zone - 2, Bapu Nagar Zone - 2 Garden Road Near Ranjeet Khatal, Bapu Nagar Khurseepar P. S. Khurseepar District Durg, Civil And Revenue District Durg Chhattisgarh
--- **Applicant**

Versus

- State of Chhattisgarh through the District Magistrate, District - Durg Chhattisgarh
--- **Respondent**

For the applicant	:	Mr. S. K. Agrawal, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07.09.2016

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. 220 of 2016 registered at P.S. Khurseepar, Distt. Durg (C.G) for the offence punishable under Sections 354, 354(B), 454 of IPC and Sections 8 & 12 of Protection of Children from Sexual Offences Act.
2. As per the prosecution case, a report was lodged by the mother of prosecutrix against the applicant that her daughter and two other children were playing in her house and at that time, the applicant unauthorizedly entered into the house and took out his clothes and told the girl that he will give money to her if she vibrates his vital part by her mouth thereby he tried to outrage the modesty of the girl. It is alleged that at that time one of the girls who was playing ran away and called the parents who came there and the accused left the place on having seen them.

3. Learned counsel for the applicant would submit that the story projected by the prosecution is completely improbable and false allegations have been attributed. He further submits that the charge sheet in this case has been filed and no further investigation is necessary and the applicant is in jail since 26.05.2016, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary documents and also the statements of witnesses.
6. Considering the degree of allegations and the totality of the circumstances as also the fact that the charge sheet has been filed and the applicant is in jail since 26.05.2016, 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.

Sd/-
GOUTAM BHADURI
JUDGE