

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5323 of 2016

Indrajeet Nishad, S/o. Durgeshwar Prasad Nishad, Aged About 23 Years,
R/o. Motipur, Near Lariya Clinic, Rajnandgaon, Tahsil & District
Rajnandgaon.

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Chowki
Chikli, P.S. Kotwali, Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. B.D.Guru, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.09.2016

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.541/2016 registered at Police Chowki- Chikli, Police Station Kotwali, District Rajnandgaon (C.G.) for the offence punishable under Section 354, 506 & 507 of Indian Penal Code and Sections 8 & 12 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, on 08.08.2016 when the victim was going to School, at that time, the applicant stopped her in a way and caught hold of her hand and dragged her and subsequently stated that he want to marry her and thereafter the victim received a phone call wherein she was threatened; thereby the offence is committed.
3. Learned counsel for the applicant would submit that the applicant was prosecuting his studies at Kawardha along-with the victim and there is some dispute occurred as the applicant is a tenant and as

such false allegations have been attributed, 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 the statements. Considering the degree of allegation leveled by the victim and further considering the facts and circumstances of the case and the fact that the applicant is in jail since 10.08.2016, 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