

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5653 of 2016

Santosh Baghel, S/o. Bhuneshwar Baghel, Aged About 35 Years, R/o. Ward No.6 Bhaktipara, Old Market, Bacheli, Distt. South Bastar, Dantewada, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, P.S. - Bacheli, Distt. South Bastar, Dantewada, Chhattisgarh.

---- Respondent

For Applicant : Mr. Wasim Miyan, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20.09.2016

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.46/2016 registered at Police Station- Bacheli, Distt. South Bastar, Dantewada (C.G.) for the offence punishable under Section 354-A(2)(3) of IPC & Section 8 of POCSO Act.
2. As per the prosecution case, on 29.07.2016 the victim went to play with her friend at that time the present applicant called the victim and shown some obscene film in the mobile thereafter also pressed her breast and tried to outrage her modesty.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated due to some previous animosity and the charge sheet in this case has been filed and no further investigation is necessary, 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 statement. Considering the facts and circumstances of the case, nature of offence & degree of allegation and the fact that the charge sheet has been filed and the applicant is in jail since 01.08.2016, 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