

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7526 of 2016

Ganesh Yadav S/o Janai Ram Yadav Aged About 26 Years R/o Village Fouzdar Kapa, Outpost Chilfi, Police Station & Tehsil Lormi, Civil District Bilaspur & Reveue District Mungeli, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Lormi, Civil District Bilaspur & Revenue District Mungeli, Chhattisgarh.

---- Respondent

For applicant - Shri Pallav Mishra, Advocate.
For Respondent/State – Ms. Sunita Jain, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

29/11/2016

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed as withdrawn on 5/10/2016 vide M.Cr.C. No.6133/2016 with liberty to repeat the same after filing of the charge sheet.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.336/2016 registered in Police Station Lormi for offence punishable under sections 456, 354 of IPC and 3(1)(10) SC/ST Act, Section 12 of POCSO Act.
3. As per the prosecution case, a report was made by father of the victim girl on 20/08/2016 that on 18/08/2016 the applicant entered into the house at night, thereafter, caught hold of hand of the victim and was dragging her, on being objected tried to outrage modesty of the girl.
4. Learned counsel for the applicant submits that now the charge sheet has been filed and the applicant is in jail since 20/08/2016, therefore he may be released on bail.
5. Learned State counsel opposes the prayer for grant of bail.

6. Perused the statement of the victim girl. Taking into facts and circumstances of the case, degree of allegation and also for the fact that charge sheet has been filed, this court is inclined to release the applicant on bail.

7. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE