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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6059 of 2017

- Paras Manikpuri S/o Amir Sai Manikpuri, Aged About 23 Years, R/o Rajkishore Nagar, Police Station Jai Nagar, District Surajpur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bhatgaon, District Surajpur Chhattisgarh.

---- Non-applicant

For Applicant – Shri Keshav Prasad Gupta, Advocate.
For Non-applicant/State – Shri U.K.S. Chandel, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

08-11-2017

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for regular bail. The applicant was arrested on 30-07-2017 in connection with Crime No.148/2017 registered at P.S. Bhatgaon District Surajpur, C.G. for the offence under Section 354, 354(घ) of the IPC and Section 3(1)(द)(ध) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 8 of Protection of Children from Sexual Offences Act.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 30-07-2017. The case has been investigated and the charge sheet has been filed, trial is likely to take some time. In these circumstances, it is prayed that the applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the bail application and submits that looking to the statement given by the victim of this case, the applicant is not entitled for grant of bail.

4. Heard learned counsel for both the parties and perused the case diary.

5. The victim of this case and her sister were assaulted by the applicant who also tried to outrage their modesty in the open market place. On the basis of the information given offence as aforementioned are registered. The age of the victim in this case is below 18 years.

6. Considering on the submissions, contents of the case diary and looking to the facts that the charge sheet has been filed, trial of the case is likely to take some time, detention of the applicant till trial is not going to serve any purpose, this Court is of the considered view that the applicant should be enlarged on bail.

7. Consequently, the application (MCRC No.6059/2017) filed under Section 439 of the Cr.P.C. by the applicant is hereby allowed. 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.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Aadil