

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE NO. 6741 OF 2017

Shubham Dubey, S/o Mohan Dubey, age 21 years, occupation- Hindu Priest, R/o Village Kavli, P.S. Dabra, Tahsil Dabra, District Janjgir-Champa (C.G.)

... Applicant

versus

State of Chhattisgarh, through District Magistrate, Janjgir, District Janjgir-Champa (C.G.)

... Respondent

For Applicant	:	Mr. Amit Sharma, Advocate.
For Respondent-State	:	Ms. M. Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/12/2017

1. The present is an application filed under Section 439 of CrPC seeking for grant of bail to the Applicant who is in jail since 5.10.2016 in connection with Crime No.344/2017 registered at Police Station- Dabra, District Janjgir-Champa, for the offence punishable under Section 354 of IPC and Section 8 of the POCSO Act, 2012.
2. Allegation against the Applicant as per the prosecution case is that Applicant is said to have stopped the victim on the middle of the road and caught hold her hand and expressed a feeling of love to her.
3. Learned Counsel for the Applicant submits that the Applicant is aged around 21 years and because of folly of youth he has committed the said offence and for which he has already remain in custody for a period of more than two months and therefore he may be released on bail.
4. Learned Counsel for the State however opposes the bail application and submits that the Applicant is said to have tried to outrage the modesty of a minor girl aged around 15 yeas and therefore he does not deserve to be released on bail.

5. Considering the facts and circumstances of the case and taking into consideration the nature of allegation levelled by the victim against the Applicant and the period of custody already undergone by the Applicant, this Court is of the opinion that prima facie a strong case is made out for grant of bail to the Applicant.

6. Accordingly, the bail application is allowed. It is ordered that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge

/sharad/