

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7060 of 2017

Jitendra Soni S/o Late Munna Lal, Aged About 35 Years R/o Awnrabhata,
P.S. Dantewada, District South Bastar Dantewada, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate Dantewada, Chhattisgarh

---- Respondent

Shri P.R.Patankar, counsel for the applicant/s.
Ms. Sunita Jain, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/12/2017

Heard.

The applicant has been arrested in connection with Crime No.46/2017 registered at Police Station – Dantewada, Distt. - Dantewada (CG) for alleged commission of offences under Section 451, 354 of IPC and Section 7 and 8 of the POCSO Act.

2. Case of the prosecution is that the applicant outraged modesty of the prosecutrix who is minor in age.

3. Learned counsel for the applicant submits that the allegation against the applicant are false and story of the prosecution has been exaggerated and he did not commit any overt act alleged against him. It is submitted that investigation is complete, charge sheet has been filed, the applicant is in jail since 13/05/2017 and till date, trial has not been concluded. Therefore, the applicant may be granted bail.

4. On the other hand, learned State counsel opposes bail application and submits that looking to the overt act stated to have committed by the applicant, statement under Section 164 CrPC of the prosecutrix, the application may be

rejected.

5. Taking into consideration the submission of learned counsel for the parties, considering that investigation is complete, applicant is in jail since 13/05/2017 and trial has not been concluded till date, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the Trial Court. He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge