

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 761 of 2017

Prahlad Thakur S/o Janak Lal Thakur, Aged About 30 Years R/o Village- Amlidih,
Police Station- Amleshwar, District- Durg, Civil And Revenue District- Durg
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- Station House Officer, Police Station
Amleshwar, District- Durg Chhattisgarh.

---- Respondent

For Applicant	:	Shri Goutam Khetrapal, Advocate
For Respondent/State	:	Shri D.R. Minj, Dy. Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

13/02/2017

Heard.

1. The applicant has been arrested in connection with Crime No.117 of 2016 registered in Police Station- Amleshwar, District -Durg (C.G.) for the alleged commission of offence under Sections 354, 454 IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the applicant entered the house of the prosecutrix and outraged modesty by catching hold of her hands.
3. Learned counsel for the applicant submits that in the present case, investigation is complete, charge sheet has also been filed and the applicant is in jail since 1.10.2016, therefore, looking to the nature and extent of the act alleged against the applicant, at this stage, he may be granted bail as he is not likely to abscond or tamper with prosecution witnesses.
4. On the other hand, learned counsel for the State has opposed the bail

application. He submits that the manner in which the applicant entered the house of the prosecutrix and caught hold of her hands, a prima facie case is made out and as the prosecutrix was minor in age, the applicant may not be granted bail.

5. Having considered the submissions made by learned counsel for the parties, taking into consideration that the charge sheet has already been filed and the applicant is in jail since 1.10.2016 and further taking into consideration the nature and extent of overt act constituting allegation of commission of offence alleged against the applicant, I am inclined to enlarge the applicant on bail.
6. The application is accordingly allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

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