

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1060 of 2017

Shoeb Ahmad S/o Iqbal Ahmad Aged About 21 Years Occupation Study, R/o Koriya Dadar, Raigarh, Thana -Chakradhar Nagar, Tahsil & District - Raigarh, Chhattisgarh. At Present R/o Village Lamheedarha, Thana-Chakradhar Nagar, Tahsil & District Raigarh, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through :- Police Thana- Chakradhar Nagar, Tahsil & District - Raigarh, Chhattisgarh.

---- Respondent

Shri Sanjay Agrawal, counsel for the applicant/s.
Shri Manish Nigam, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

27/02/2017

Heard.

The applicant has been arrested in connection with Crime No.221/2016 registered at Police Station – Chakradhar Nagar, District - Raigarh for alleged commission of offences under Section 354 of IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution is that the applicant dragged the prosecutrix nearby a shop and thereby outraged her modesty. The prosecutrix is stated to be a minor.

3. Learned counsel for the applicant submits that the allegation against the applicant are exaggerated and infact, the prosecutrix had an affair with the applicant. It is submitted that looking to the nature and extent of overt act and that further custodial interrogation is not necessary, at this stage, the applicant may be granted bail.

4. On the other hand, learned State counsel opposes bail application and

submits that looking to the nature and extent of overt act and the age of the prosecutrix, the application may be rejected.

5. Taking into consideration the submission, nature and extent of overt act alleged against the applicant and that charge sheet has been filed and there is no material to show that the applicant is likely to abscond or tamper with the prosecution witnesses, 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 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 Trial Court. He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Any attempt on the part of the applicant to again harass the prosecutrix, shall entitle the prosecution to apply for cancellation of bail.

Certified copy as per rules.

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