

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1608 of 2017

Sonsai S/o Dujeram, Aged About 28 Years Caste- Satnami, R/o- Ward No. 4
Village Hasaud, Police Station - Hasoud Janjgir, District- Janjgir- Champa,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through: Station House Officer, Police Station Hasoud ,
District Janjgir- Champa, Chhattisgarh.

---- Respondent

Shri Aman Kesharwani, counsel for the applicant/s.
Shri Aditya Sharma, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/03/2017

Heard.

The applicant has been arrested in connection with Crime No.178/2016 registered at Police Station – Hasaud, District – Janjgir - Champa (CG) for alleged commission of offences under Section 354 (A) of IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution is that the applicant outraged the modesty of the victim, who is a minor girl aged 12 years.

3. Learned counsel for the applicant submits that the applicant is in jail since 20/12/2016. He submits that the main prosecution witnesses i.e. the alleged victim has already been examined by the Trial Court and at this stage, the applicant may be granted bail as there is no minimum sentence provided for offence under Section 354 (A) IPC.

4. On the other hand, learned State counsel opposes bail application and submits that the manner in which the victim has made allegations against the

applicant, case of commission of offence under Section 8 of the POCSO Act is made out for which, a minimum sentence of three years is provided.

5. Considering the submission, I am not inclined to grant bail to the applicant. The application is, therefore, rejected with liberty to the applicant to revive this application, in case, trial is not concluded in three months.

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

Deepti