

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2939 of 2017

- Juga Das S/o Nakul Das, Aged About 28 Years R/o Raikera, Police Station And Tahsil Sitapur, District Surguja Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Mahila Thana Ambikapur, District Surguja Chhattisgarh

----Respondent

For Applicant : Smt Hamida Siddiqui and Shri Raghavendra Verma, Advocates
For Respondent/State : Shri UKS Chandel, PL

Hon'ble Shri Justice Anil Kumar Shukla

Order on Board

01.06.2017

1) This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 03 of 2017 registered at Police Station Mahila Thana, Ambikapur, district Surguja (CG) for the offences punishable under Sections 354(B), 294 and 506 of the IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

2) The prosecution story, in brief, is that on 11.12.2016 when the prosecutrix went for nature call, she was caught hold by the present applicant with an intention to outrage her modesty.

3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the case and also there is delay in

lodging FIR. The applicant is in jail since 17.03.2017 and he is the only earning member of the entire family, therefore, he may be released on bail.

4) On the other hand learned State counsel opposes the prayer for grant of bail.

5) Taking into consideration the totality of the circumstances, without commenting on merit; the fact that there is delay in lodging FIR; and also that the applicant is in jail since 17.03.2017, this Court is inclined to release the applicant on bail.

6) Accordingly, the bail application filed under Section 439 of the Cr.P.C., is allowed.

7) It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance as and when directed.

Sd/-
(Anil Kumar Shukla)
Vacation Judge