

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3924 of 2017

Shravan Kumar Sahu, S/o. Kalyan Sahu, Aged About 28 Years, R/o. Atal Awas Rampur Ward, Dhamtari, Police Station- Dhamtari, Tahsil and District Dhamtari Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station : City Kotwali, Dhamtari, District- Dhamtari, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Samir Singh, Advocate
For Respondent/State	: Mr. Shashank Thakur, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/06/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.108/2017, registered at Police Station – City Kotwali, Dhamtari, District – Dhamtari (C.G.) for the offence punishable under Section 354 (A), 509, 323 of Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act.
2. As per the case of the prosecution, in brief, is that on 28.03.2017, the victim while was sitting outside her house, the applicant went there and asked for sexual favour and offered money. The same was reported by the victim to her father, thereafter, the applicant assaulted the father of the victim by hand and fist. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and there has been some dispute taken place in between the father of the victim and the applicant,

therefore, the false allegation has been levelled and charge-sheet has been filed and no further investigation is necessary, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary, documents and the statement of the victim. Considering the facts and circumstances of the case, the degree of allegation and the nature of offence and further taking into the fact that charge-sheet in this case has been filed and no further investigation is necessary, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Vacation Judge