

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6213 of 2017**

- Chandan Saha S/o Late Madusudan Saha, Aged About 50 Years R/o Village P.V.102, Bande, Tahsil Pakhanjur, District North Bastar Kanker, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Bande, District North Bastar Kanker, Chhattisgarh

---- Respondent

For Applicant	:	Shri N.K. Chatterjee, Advocate
For Respondent-State	:	Shri S.K. Mishra, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****28/11/2017**

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 on 14.07.2017 in connection with Crime No. 35/17 registered at Police Station Bande, District North Bastar Kanker (CG) for the offence punishable under Section 354-A of the I.P.C. and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, on 15.05.2017 while the prosecutrix was sleeping in her house, the applicant who is the neighbour entered into her house thereafter pressed her breast thereby tried to outrage the modesty of the prosecutrix, who is a minor. Thereafter, the matter was referred to the Panchayat and after meeting of the Panchayat the report was lodged.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated and the charge-sheet in this case has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the facts circumstances of the case, the degree of allegation and also the fact that the charge-sheet in this case has been filed, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu