

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C No. 6465 of 2017

- Indrajeet Jhariya S/o Uttra Jhariya, Aged About 22 Years R/o
Village Barbhaona, Thana Chhal, District Raigarh,
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Chhal, District
Raigarh, Chhattisgar

---- Respondent

For the Applicant : Shri Sanjay Agrawal,
Advocate.

For the Respondent/State : Shri Vinod Tekam, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29.11.2017

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 in connection with Crime No. 81/2017, registered at Police Station – Chhal, District – Raigarh (C.G), for the offence under Section 354 of the Indian Penal Code and 8, 12 of Protection of Children from Sexual offence Act, 2012.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 24.09.2017. The age of the prosecutrix is more than 18 years. On account of some dispute false FIR has been lodged against the applicant. The applicant is ready to abide by all the conditions which may be imposed while granting bail to the applicant. Hence, the applicant prays for grant of bail.
3. Learned counsel for the State opposes the bail application and the submission made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. The facts of the case are these that the complainant / victim is aged below 18 years and studies in Government Higher Secondary School, Barbhauna in class 12. Applicant had been following her since long time on many occasions he stopped her and on 06.07.2017 the applicant got hold of hand of the complainant and thus outraged her modesty. On the information given the case has been registered. The case is before the trial Court after the completion of the investigation.
6. Considering the submissions made by learned counsel, contents of the case diary and looking to the facts of this case, I am of the view that it is a fit case where the applicant is entitled for grant of bail.

7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his 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 /-

(Rajendra Chandra Singh Samant)

Judge

Jamal