

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1602 of 2017

Suresh Kumar Vani S/o Late Prabhat Denikal Vani, Aged About 49 Years R/o Village Sakin, Mission Parsabhader, Police Station City Kotwali, Balodabazar, District- Balodabazar, Chhattisgarh.

---- Petitioner

Versus

State Of Chhattisgarh Through : Police Station City Kotwali, Balodabazar, District- Baloda-Bazar Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Prasoon Agrawal, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/03/2017

Heard.

1. This is repeat application for grant of bail to the applicant. His earlier bail application was dismissed as withdrawn on 09.01.2017.
2. The applicant has been arrested in connection with Crime No.544 of 2016 registered in Police Station- City Kotwali, Balodabazar, District- Balodabazar(C.G.) for alleged commission of offence under Sections 354, 452 IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
3. Case of the prosecution, in brief, is that the applicant came to the house of the prosecutrix and caught hold of her wrist.
4. Learned counsel for the applicant submits that the applicant has been falsely implicated by the prosecutrix. He has not committed offence as alleged. It is further submitted that the investigation is complete, charge sheet has been filed and the applicant is not in a position to tamper with the prosecution witnesses or

abscond, therefore, he may be enlarged on bail.

5. On the other hand, learned counsel for the State has opposed the bail application. He submits that the applicant came to the house of the prosecutrix and caught hold of her wrist with an intention to outrage modesty, therefore, the applicant may not be released on bail.
6. Having considered the submissions made by learned counsel for the parties, particularly taking into consideration that the investigation is complete, charge sheet has been filed and nature and extent of overt act alleged to be committed by the applicant, I am inclined to enlarge the applicant on bail.
7. The application is accordingly allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

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