

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.1943 of 2017

- Goutam Singh S/o Manbhoran Singh Aged About 26 Years R/o Village Ghasiya Dohar, Tangar Mahri Police Station Balrampur, District Balrampur- Ramanujanj, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Police Station- Balrampur, District- Balrampur- Ramanujanj, Chhattisgarh.

---- Respondent

For Petitioner	:	Shri A. K. Yadav, Advocate
For Respondent/State	:	Shri D. R. Minz, Dy.GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/04/2017

Heard.

2. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.100/2016 registered at Police Station Balrampur for the offence punishable under Section 354, 324 of IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012. The applicant has been arrested on 15-09-2016.

3. Case of the prosecution is that the applicant outraged the modesty of the prosecutrix by giving bite on her cheek.

4. Learned counsel for applicant submits that in the present case, the applicant has been falsely implicated and the allegations against the applicant are false. He submits that the applicant is in jail since 15-09-2016 and the trial has not been completed till date. He also submits that at present, only two prosecution witnesses have been examined and ten other prosecution witnesses are yet to be examined.

5. On the other hand, learned State counsel opposed the prayer for grant of bail on the submission that looking to the nature and extent of overt act alleged to have been committed by the applicant by giving bite on her cheek, he is not entitled to bail.

6. Taking into consideration the submission of learned counsel for the parties, totality of the circumstances and the fact that the applicant is in jail since 15-09-2016 and further that till date, only two prosecution witnesses have been examined, the application is allowed.

7. It is ordered that the applicant shall be released on bail on furnishing a personal bond of Rs.20,000/- along with one local surety of the like amount to the satisfaction of the trial Court. He shall appear before the trial Court regularly on each and every date, unless exempted.

SD/-

(**Manindra Mohan Shrivastava**)

J U D G E