

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 54 of 2018**

Manmohan Singh @ Bablu, S/o. Shri Jeevan Singh Rajput, Aged About 21 Years, R/o. Leemgaon, P.S. Urga, Tahsil -Kartala, Distt. -Korba Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through, Station House Officer, Police Station -Urga, Distt. Korba Chhattisgarh.

---- Respondent

For Applicant	: Mrs. Indira Tripathi, Advocate
For Respondent/State	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**23/02/2018**

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.258/2017, registered at Police Station – Urga, District – Korba (C.G.) for the offence punishable under Section 341, 354, 294 of the Indian Penal Code and Section 8 of Protection of Children from Sexual Offence Act, 2012.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 10.12.2017, he is local resident of District – Korba. No offence is made out against him on the basis of the material present in the charge-sheet, filed against him, therefore, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted

that victim has given clear statement against this applicant regarding commission of offence of outraging her modesty, hence, he is not entitled for grant of bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. Brief facts of the case are that the applicant on the date of incident caught hold of the cycle of the victim aged about 14 years, when she was riding towards her home because of which, she fell down and then he used force physically to outrage her modesty.
6. Considered the submissions made and the contents of the case diary. Considering the facts and circumstances of the case, charge-sheet in this case has been filed and the trial against the applicant is likely to take sometime and presence of the applicant before the trial Court can be ensured by imposing conditions, hence for this reason, 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/-
(Rajendra Chandra Singh Samant)
Judge