

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 467 of 2018

- Anil Kumar S/o Gangaram Aged About 19 Years Caste Yadav, R/o Marghatti, Police Station Hasoud And Tahsil Malkharoda, District Janjgir Champa, Chhattisgarh., Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Hasoud, District Janjgir Champa, Chhattisgarh., Chhattisgarh

---- Respondent

For Applicant	:	Mr. Ishwar Jaiswal, Advocate.
For Respondent/State	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

20/03/2018

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.93/2017 registered at Police Station– Hasoud, District– Janjgir-Champa(C.G.) for the offence punishable under Sections 354(A)(D) & 506 of the Indian Penal Code and Section 8 of Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicants submits that applicant is innocent and has been falsely implicated in this case. It is submitted that no evidence present in the charge-sheet filed against this applicant. Applicant is in jail since 22.7.2017. After completion of investigation, charge-sheet has been filed. The trial against him is likely to take some time. Hence, he is entitled for grant of regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that the prosecutrix is in this case is a minor girl. No case is made out for grant of bail. Hence, he is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. It is alleged that the applicant was talking the minor victim girl from quite some time. On the date of incident, the applicant arrived on the spot where minor victim was present and made a statement that if he could not have her then he will not allow her to be had by anybody else and, thereafter, he made indecent gesture and also made some proposal in front of her, thereafter, the FIR was lodged by the victim.
6. Considered on the entire material present in the case as the case presently before the concerned trial Court and the trial against this applicant is likely to take some time for its conclusion. For this reason, I am of this view that this is a fit case where applicant should be released on regular 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 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