

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE NO. 735 OF 2018

Santosh Sahu, S/o Late Shyamlal Sahu, aged about 45 years, R/o Mahamaya Para, Arang, P.S. Arang, District Raipur (C.G.)

... Applicant

versus

State of Chhattisgarh, through Police Station Arang, District Raipur (C.G.)

... Respondent

For Applicant	:	Mr. C.R. Sahu, Advocate.
For Respondent-State	:	Mr. Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25/01/2018

1. The present is a repeat application filed under Section 439 of CrPC seeking for grant of bail to the Applicant who is in jail since 27.8.2017 in connection with Crime No. 371/2017 registered at Police Station- Arang, District- Raipur, for the offence punishable under Section 354 of IPC and Section 8 of the POCSO Act, 2012.
2. The earlier bail application stood rejected by this Court on merits on 28.11.2017 in M.Cr.C. No. 6299/2017.
3. As per the prosecution case, allegation against the Applicant is that on 13.8.2017 he is said to have tried to outrage the modesty of the victim, an eight year old minor girl.
4. Learned Counsel for the Applicant submits that now the victim so also the mother of the victim have been examined and except for a bald allegation being made against the Applicant, there does not seem to be any strong case made out by the prosecution. Learned Counsel for the Applicant further submits that it is a case of false implication and that there was some money dispute between the parties and therefore he has been falsely implicated in the instant case. He thus prayed for the Applicant to be released on bail.

5. Learned Counsel for the State however opposing the bail application refers to the statement of the victim stating that there are serious allegations levelled against the Applicant and it has also been stated that the victim has subsequently identified the accused Applicant when he was seen in a function. Given the averments, learned Counsel for the State prays for the rejection of the bail application.

6. Considering the nature of allegations reflected from the statement of the victim, this Court is not inclined to grant bail to the Applicant at this juncture.

7. The application for grant of bail stands accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge