

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1305 of 2018

- Santosh Kumar Raj S/o Mangal Say, Aged About 21 Years, R/o.- Village Harritola, Ward No.16, Gram Panchayat Ghutra, Thana Manendragarh, District- Koriya, Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station Manendragarh, District- Korea, Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- Non-applicant

For Applicant – Shri Parag Kotecha, Advocate.

For Non-applicant/State – Shri Vijay Bahadur Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

18-04-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 08-01-2018 in connection with Crime No.09/18 registered at P.S. - Manendragarh, District- Korea, Chhattisgarh for the offence under Section 363, 354, 354-A, 323 of the IPC and Section 8 of the Protection of Children from Sexual Offences Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 08-01-2018. The investigation is almost complete. No case is made out against this applicant. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the case against this applicant, on the date of incident this applicant met the minor victim of age 12 years, he made her sit on his lap and was touching her body parts. The victim raised alarm, on which brother of the

victim arrived on the spot. Thereafter, the FIR was lodged against this applicant.

6. After due consideration on the material present in the case diary and the fact that trial in this case has yet to start and conclusion of the same is likely to take some time, I am of this view that this applicant should be released on bail during pendency of the trial against him.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge