

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1348 of 2018

- Sarvan @ Rajesh Rahate S/o Lalchand Rahate Aged About 39 Years Caste-Mochi, R/o Old Awas, Jawahar Nagar Ward, Quarter No. 13/21, Police Station-Jamul, District-Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station-Jamul District- Durg, Chhattisgarh, District : Durg, Chhattisgarh

---- Respondent

For Applicant	:	Ms. Khushbu Verma, Advocate.
For Respondent/State	:	Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

18/04/2018

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.550/2017 registered at Police Station– Jamul, District– Durg(C.G.) for the offence punishable under Sections 354 & 506 of the Indian Penal Code and Section 8 of Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 21.11.2017. No case is made out for grant of bail. After completion of investigation, charge-sheet has been filed. Hence, it is prayed that he may be released on bail.
3. Learned State counsel opposes the bail application and submissions

made in this respect. It is submitted that looking to the direct allegation made by victim in her statement, this applicant is not entitled for grant of bail.

4. Heard both the parties and perused the case diary.
5. As per the case of prosecution, on the date of incident this applicant called minor victim in his house and made her lay down on the table and then touched her physically and also asked to have physical relation with her. On refusal of the victim, this applicant threatened her with dire consequences, hence, FIR was lodged in this case.
6. After due consideration, I am of this view that the trial in this case is likely to take some time before its conclusion it would not serve any purpose in keeping the applicant languishing in jail for the entire period of trial, hence, this appears to be a fit case where the applicant should be enlarged on 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 his 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