

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6871 of 2017

- Motiram Sen S/o Dwarika Sen Aged About 33 Years R/o Village Baijalpur, Thana Bemetara Tahsil District Bemetara Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Thana Bemetara, District Bemetara Chhattisgarh

---- Respondent

For Applicant	:	Mr. Samir Singh, Advocate.
For Respondent	:	Mr. Vinod Tekam, Panel Lawyer.

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

11/01/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.568/2017, registered at Police- Station-Bemetara, District– Bemetara(C.G.) for the offence punishable under Sections 354 & 354C of Indian Penal Code (for short 'IPC') and Section 8 of Protection of Children from Sexual Offences Act.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 27.9.2017. After completion of investigation, charge-sheet has been filed. Further, it is submitted that the applicant is a School Teacher and there is no purpose left to keep him in detention during the pendency of trial. Hence, prayed that he is entitled for grant of regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. Father of the victim a girl of 10 years, has lodged FIR against the applicant that he in capacity of Teacher of the school has physically molested the child victim by touching her on various parts of the body, which is objectionable. On that basis, FIR was lodged against the applicant.
6. Considered as the investigation has been completed and charge-sheet has been filed. The trial against the applicant is likely to take some time and there is no requirement to keep him in detention during the period of trial. For these reasons, I am of this view that applicant deserves to be enlarged 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 her 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