

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2050 of 2018

- Chandrakant Chauhan S/o Shravan Chauhan Aged About 22 Years
R/o Village Jorapali, Tahsil And District Raigarh Chhattisgarh, District :
Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Kotra Road, Raigarh District Raigarh Chhattisgarh, District :
Raigarh, Chhattisgarh

---- Respondent

For Applicant : Mr. Abhishek Saraf, Advocate.
For Respondent : Mr. Vijay Bahadur Singh, Panel Lawyer.

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

01/05/2018

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.35/2018, registered at Police Station–Kotra Road, District– Raigarh(C.G.) for the offence punishable under Section 354(B), 342 of Indian Penal Code and Section 8, 12 of Protection of Children from Sexual Offences Act.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. Applicant is in jail since 21.02.2018. No case is made out against him. After completion of investigation, charge-sheet has been filed and the trial is likely to take some time before its conclusion, hence, it is prayed that he may be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that according to statement given by the victim in this case, she is just 8 years old girl and her modesty has been outraged, hence, no case is made out for grant of bail.
4. Heard both the parties and perused the case diary.
5. According to the prosecution case, on the date of incident this applicant dragged the minor victim inside the house and was trying to take off of his own clothes and at that time sister of victim entered into the room thereafter applicant fled from the spot. Hence, FIR was lodged.
6. Considered all the facts and circumstances in this case, I am of this view that this is a fit case where applicant should be benefited with grant of regular bail during the pendency of the trial against him.
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 Court, for his appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge