

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2146 of 2018

- Raju Sahu S/o Banshilal Sahu aged 21 years, R/o Village Chicholi, P.S. Nandghat, District- Bemetara (Chhattisgarh).

---- Applicant

Versus

- State Of Chhattisgarh Through: the Station House Officer, Police Station Nandghat, District- Bemetara, (Chhattisgarh).

---- Non-applicant

For Applicant	: Mr. Akhtar Husain, Advocate.
For Respondent/State	: Mr. Vinod Tekam, Penal Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

02/05/2018

1. Heard.
2. 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. 48/2018, registered at Police Station- Nandghat, District – Bemetara (Chhattisgarh) for the offence punishable under Section 354 of the Indian Penal Code & Section 7, 8 of the Protection of Children from Sexual Offences Act.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. Applicant is in jail since 05.02.2018. A totally false FIR has been lodged against him. Charge-sheet has been filed, after completion of investigation and he is ready to abide by all the conditions and directions, which may be imposed while granting bail to him. Hence, it is prayed that applicant be enlarged on regular bail.

4. Learned State counsel opposes the bail application.
5. Heard both the parties and perused the case diary.
6. According to the case of the prosecution, this applicant approached the minor victim on the date of incident on 30.01.2018, after holding her hand he gave her a mobile and proposed to have physical relation with him. FIR was lodged after five days on 04.02.2018, thereafter the arrest of this applicant was made.
7. Considering the material present in the case diary, trial of the case is likely to take some time before its conclusion and further that no purpose would be served if the applicant is kept in detention till conclusion of the trial all along, hence, I am of this opinion that applicant should be benefited with grant of regular bail.
8. 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