

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6338 of 2017

- Naresh Kumar S/o Biram Singh Kashyap Aged About 46 Years R/o Village Doghat, Police Station Doghat, Tahsil Badout, District Bagpath (U.P.), Presently R/o Village Chandnu, In Front Of Society, Ganna Badi, Chouki Chandnu, Police Station Nandghat, District Bemetara Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Chouki Chandnu, Police Station Nandghat, District Bemetara Chhattisgarh

---- Respondent

For Applicants	:	Ms. Sharmila Singhai, Advocate.
For Respondent	:	Mr. Vivek Singhal, Panel Lawyer.

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

08/01/2018

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.240/2017, registered at Police Outpost - Chandnu, Police Station- Nandghat, District- Bemetara (C.G.) for the offence punishable under Sections 354, 454 of Indian Penal Code (for short 'IPC') & Sections 7, 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. No case is made out against the applicant on the basis of the material brought on record by the prosecution. Applicant is in jail since 14.9.2017. He is willing to abide by all the conditions and direction, which may be imposed while

granting bail to him. Hence, it is prayed that applicant be enlarged on 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. The case against is this on that on the date of incident when minor victim was alone in her place of residence, applicant entered her house with intent to outrage her modesty, caught hold of her hairs and dragged her inside the house. Later on, when father of the minor victim came home, she narrated the entire incident to him and thereafter FIR was lodged.
6. Considering the submissions made and contents of the case diary, looking to the nature of allegation against him and the fact that the trial against the applicant is likely to take some more time, I am of this view that this is a fit case where the applicant should 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 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