

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3129 of 2018**

Suresh Pal Azad S/o Samme Lal Aged About 31 Years R/o Daganiya, P. S. Kosir, District Raigarh, Occupation Service, Shiksha Karmi Grade-II, Government Middle School Kosmanda, Block Dabhara, P. S. And Tahsil Dabhara, District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station Dabhara, District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For the Applicant : Shri Ishwar Jaiswal, Advocate.
For the Respondent/State : Shri Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****25.06.2018**

Heard.

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.129 of 2018, registered at Police Station – Dabhara, District Janjgir-Champa, Chhattisgarh for the offence punishable under Section 354 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 7.3.2018 and has been falsely implicated in this case. The applicant is a school teacher and false FIR has been lodged against him because of some misunderstanding. In fact, on the date of incident, this applicant had

been trying to make the victim understand because she was not having meals, which has been misunderstood. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there is clear allegation in the statement of the victim against the applicant. Hence, it is prayed the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. The allegation against the applicant is that on 7.3.2018 at about 2:00 pm, he caught hold of the victim and outraged her modesty by touching her body and kissing her. The victim is minor aged 14 years. Hence, the FIR was lodged.

6. Considered the entire material present in the case-diary. The trial of the case is likely to take some time for its final disposal and looking to the fact that the applicant is a government employee, I am of the opinion that the applicant deserves to be released on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on furnishing a personal bond in the 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

Nimmi