

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 8134 of 2017**

Dujram Sahu, S/o. Munnalal Sahu, Aged About 21 Years, R/o. Ward No. 11, Infront Of Kali Mandir, Near Bus Stand, Manendragarh, District Koriya Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh, Through : Police Station -Manendragarh, District Koriya, Chhattisgarh.

---- Respondent

For Applicant : Mr. Parag Kotecha, Advocate

For Respondent/State : Ms. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**07/03/2018**

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.246/2017, registered at Police Station –Manendragarh, District – Koriya (C.G.) for the offence punishable under Section 354, 354A, 354D of the Indian Penal Code and Section 8, 12 of Prevention of Children from Sexual Offences Act, 2012.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 27.10.2017, charge-sheet has been filed against him after

completion of investigation and so far the trial has not concluded against him, therefore, he may be released on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that apart from the incident that has taken place on the date of incident, there is evidence that the applicant was stalking the victim since one month prior to the date of incident, hence, the applicant is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. On the date of incident, somebody threw the stone on the door of the victim because of which she opened the door and came it was at that time, the applicant caught hold of her and dragged her to a nearby place and touched her physically. On FIR being lodged by the victim, the case has been registered against this applicant.
6. Considered the submissions made and the contents of the case diary. As the charge-sheet has been filed before the concerned Court and the trial against this applicant is likely to take some time for its conclusion, the applicant is in jail since 27.10.2017, and no purpose would be served, if the, applicant is kept in detention till the conclusion of trial, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram