

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4886 of 2018**

Raju @ Kishor Kumar Patel, S/o. Late Namu Prasad Patel, Aged About 46 Years, R/o. School Chowk, Dhuma, Police Station Sirgitti, District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through : Station House Officer, Police Station Sirgitti, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Dharmesh Shrivastava, Advocate
For Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****01/08/2018**

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.144/2018, registered at Police Station- Sirgitti, District – Bilaspur (C.G.) for the offence punishable under Section 363, 506-B, 354-A of the Indian Penal Code. And Section 8, 12 of Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 05.05.2018. No case is made out against him according to the material present in the charge-sheet. The victim in this case has not identified this applicant, the FIR is against unknown person and no TIP has been conducted in the investigation. Hence, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. The prosecution case in brief is that on 30.04.2018, the applicant approached the victim and given her inducement that he can arrange Sewing machine and money for her, he took her to a lonely place and outraged her modesty. The victim objected and reacted because of which, she was also threatened by the applicant. Hence this case.
6. The applicant was not known to the victim. FIR was lodged by the father of the victim on 02.05.2018 against unknown person. No test identification parade has been conducted in this case although the charge-sheet has been filed after completion of investigation
7. Considering on the entire material present on record, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
9. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge