

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4880 of 2018**

Mukesh Kumar Sahu, S/o. Ramu Lal Sahu, Aged About 26 Years, R/o. Village Binori P. S. Palari District Baloda Bazar. Presently Vidya Mitran Government Buniyadi Kanya Shiksha Parisar Garraji Narayanpur, District Narayanpur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through The Police Station Narayanpur District Narayanpur Chhattisgarh.

----- Respondent

For Applicant : Mr. P.K. Tulsyan, Advocate
For Respondent : Mr. Ashok Swarnakar, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****31/07/2018**

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.46/2018, registered at Police Station- Narayanpur, District – Narayanpur (C.G.) for the offence punishable under Section 354, 354(A) of I.P.C. and 3 (w) (i) (ii) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 10 and 12 of the 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 28.03.2018. No case is made out against him. Charge-sheet in this case has been filed after completion of investigation and the case is pending for trial. Applicant is a public servant. 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. It is submitted that the applicant in capacity of teacher, has disgraced his profession, which is reflected from the statement given by the victims in this case. Hence, he is not entitled to be released on regular bail.
4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. The allegation against this applicant is this that on the pretext of teaching Biology, he used to make objectionable questions exceeding the liberty with the girls student and also used to touch them physically thus has outraged their modesty. On complaint made by the student, school authorities have enquired and found the complaint true and on that basis, FIR has been lodged against the applicant.
6. Considered the submissions made and the contents of the case diary. Considering on all the aspects present in the case and for the reason that the case is now before the trial Court 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 Cr.P.C. is allowed.
8. 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