

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5059 of 2018

Tuleshwar Sahu S/o Arun Kumar Sahu Aged About 25 Years R/o Uketara,
Police Station Arang District Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station
Bilaigarh District Baloda Bazar-Bhatapara Chhattisgarh.

---- Respondent

For Applicants	:	Mr. A.D. Kuldeep, Advocate
For Respondent	:	Mr. Smita Ghai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

07/08/2018

1. This is the first bail applications 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.218/2018, registered at Police Station- Bilaigarh, District – Balodabazar – Bhatapara (C.G.) for the offence punishable under Section 341, 354 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 20.06.2018. No case is made out against him according to the material present in the charge-sheet. Charge-sheet in this case has been filed after completion of 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 case against the applicant is this that on the date of incident, he caught hold of the hand of the minor prosecutrix making statement that he wants to marry her. Hence, this case.
6. Considered the submissions made and the contents of the case diary. After due consideration on all the facts and circumstances of the case, 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