

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5107 of 2018

Mohardas @ Mohandas Manikpuri S/o Dharamdas Manikpuri Aged About 25 Years R/o Balpur Police Station Sarsiwa, District Baloda Bazar -Bhatapara Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant	:	Mr. Anil Gulati, Advocate
For Respondent	:	Mr. Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

08/08/2018

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.139/2018, registered at Police Station- Sarsiwa, District – Baloda Bazar – Bhatapara (C.G.) for the offence punishable under 341, 354 of Indian Penal Code and Section 18 of the Protection of Children from Sexual Offences Act.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 21.04.2018. No case is made out against him according to the material present in the charge-sheet. 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 allegation against this applicant is this that on the date of incident, the applicant caught hold of the hand of the prosecutrix and said obscene words to her regarding which FIR has been lodged.
6. Considered the submissions made and the contents of the case diary. Presently the case is before the trial Court and the trial is likely to take sometime for its disposal, hence after due consideration, 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