

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5083 of 2018

- Hatim Ansari S/o Late Sidik Ansari Aged About 42 Years R/o Village- Rampur Bhaisma, Thana And Tahsil Kartala, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station- Ajk Korba, Distirct- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Vikash Pandey, Advocate.
For Respondent	:	Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

13/08/2018

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.24/2018 registered at Police Station– AJK Korba, District– Korba(C.G.) for the offence punishable under Sections 354of Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012 and 3(2)(5a) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities act, 1989).
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 29.6.2018. No case is made out against him. Hence, it is prayed that

applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. The allegation against the applicant is this, that on the date of incident he physically touched the minor prosecutrix of age 11 years for the purpose of outraging her modesty. Hence, this case.
6. Considered on the entire material present in the case diary, no purpose would be served if the applicant is kept in detention till the conclusion of trial. For this reason, I am of this view that this is a fit case where the applicant should be released on bail during the pendency of the case against him.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. 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.

Sd/-

(Rajendra Chandra Singh Samant)

Judge