

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5708 of 2018

- Bhisim Kumar Malhotra S/o Shri Shivkumar Malhotra @ Santosh Satnami Aged About 20 Years R/o- Village Kotmi Sonar, Tahsil And P.S.- Akaltara, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- In-Charge Police Station- Akaltara, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant : Mr. Ashok K. Swarnkar, Advocate.

For Respondent/State : Mr. Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

27/08/2018

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.150/2018 registered at Police Station– Akaltara, District– Janjgir-Champa(C.G.) for the offence punishable under Section 354 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against the applicant. 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 FIR has been lodged against the applicant, that he entered into the house of the minor victim and then by touching her physically he outraged her modesty. Hence, this case.
6. Considered on all the material present in the case diary and for the reason that 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