

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6534 of 2018

- Ramdayal Ram S/o Jodhan Ram Aged About 27 Years Caste- Gayar, R/o- Village- Domarpani, Tahsil- Bagicha, District- Jashpur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Bagicha, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---- Respondent

For Petitioners	: Shri Sanjeev Kumar Sahu, Advocate
For Respondent/State	: Shri Ashish Shukla, Dy.AG

Hon'ble Smt. Justice Rajani Dubey

Order On Board

28/09/2018

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 69/2017 registered at police station Bagicha, District Jashpur (CG) for the offence punishable under Sections 376/511,354,354A(1)(i) IPC and Section 12 of the Protection of Children from Sexual Offences Act.

As per prosecution case, report was lodged by father of the prosecutrix on 08.04.17 at about 5.00 a.m. when he went along with his 10 years old daughter to collect mahua at Raitangar jungle while she was collecting the same, at about 8.30 a.m. he heard her cries, went there and saw the applicant tried to molest her. On seeing him, the applicant ran away.

Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated. He submits that the FIR lodged by the father of the prosecutrix is doubtful and the applicant is in jail since 02.05.17 and the trial will take time for final disposal and therefore he may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the nature of allegation against the applicant, I am inclined to release him on bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants' furnishing a personal bond of Rs. 20,000/- with one surety each in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge