

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6593 of 2018**

- Dharmendra Yadav S/o Nand Kumar, aged about 22 years, R/o village Chaura Bhoramdev, Tahsil - Badla, District Kabirdham (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh - Through : Station House Officer, Police Station Bhoramdev, District Kabirdham (C.G.)

---- Respondent

For Applicant. : Shri Dharmesh Shrivastava, Advocate.
 For Respondent. : Shri Dilman Rati Minj, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****04/10/2018**

1. 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 since 05.08.2018 in connection with Crime No.29/2018 registered at Police Station : Bhoramdev, District Kabirdham (C.G.) for the offence punishable under Section 354 IPC and 8 of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, on 04.08.2018 at 11.00 PM the prosecutrix, a minor girl, lodged a report alleging in it that at 4.00 PM on that day when she was going to answer the call of nature, the applicant followed her, caught hold her from back, kissed her cheek and tried to outrage her modesty.
3. Learned counsel for the applicant submits that the applicant

has been falsely implicated in the crime in question. He further argued that the applicant and prosecutrix have their shops near the temple and due to competition a false and fabricated complaint has been lodged against him. Lastly, it has been argued that even if the entire prosecution case is taken as it is, no case is made out against the applicant.

4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, and further considering the nature of evidence, this Court is of the opinion that it is a fit case to release the applicant on bail.
7. Accordingly, the application is allowed and the accused/applicant is directed to be released on bail on his furnishing a personal bond of Rs.20,000/- with one surety for the like sum to the satisfaction of the concerned Court for his appearance before it as and when directed.

Sd/-

(Rajani Dubey)
Judge