

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7215 of 2018

- Ramesh Chouhan @ Ballu S/o Ajay Chouhan Aged About 20 Years
Occupation Labour, R/o Village Sondka, P. S. Kharsiya, District
Raigarh Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through The Station House Officer, P. S.
Kharsiya, District Raigarh Chhattisgarh,

---- Respondent

For Applicant	: Shri Manoj Kumar Jaiswal, Advocate
For Respondent/State	: Shri Samir Behar, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

27/10/2018

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.561/2018 registered at police station Kharsiya, district Raigarh (CG) for the offence punishable under Sections 354, 354-A, 354-B IPC and Section 12 of the Protection of Children from Sexual Offences Act.

As per prosecution case, on 05.09.18, the prosecutrix had gone to the school and suddenly it started raining, she went along with her friend towards the classroom, at about 12.00 noon, applicant who was standing in the verandah tried to pull her hand and caught her shirt, she resisted and came home, informed about the incident to her mother and thereafter report was lodged at police station.

Counsel for the applicant submits that the applicant has been falsely

implicated. He further submits that the applicant is in jail since 03.06.2017 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 detention period of 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 applicant's furnishing a personal bond of Rs. 20,000/- with one surety 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