

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7216 of 2018

- Vijay Sahu S/o Lt. Shri Punit Ram Sahu Aged About 45 Years R/o Village Pandripara, P. S. Sihawa, District Dhamtari Chhattisgarh, District : Dhamtari, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through P. S. Sihawa, District Dhamtari Chhattisgarh, District : Dhamtari, Chhattisgarh

---- Respondent

For Applicant	: Shri Adil Minhaj, Advocate on behalf of Shri Kshitij Sharma, 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.98/2018 registered at police station Sihawa, district Dhamtari (CG) for the offence punishable under Section 354 IPC and Section 8,21(ii) of the Protection of Children from Sexual Offences Act.

As per prosecution case, on 27.07.18, at about 12.00 noon, applicant who is a teacher in the school at village Pandripara, where the prosecutrix was studying had tried to outrage her modesty.

Counsel for the applicant submits that the applicant has been falsely implicated by the family of the prosecutrix due to enmity between them. He further submits that the applicant is in jail since 01.08.2018 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