

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6520 of 2017**

Gulab Khute S/o Shri Pawan Khunte, Aged About 20 Years R/o
Satnamipara, P.S. Urla, District Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station
Urla, District Raipur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Vivek Singhal, Advocate.
For the Respondent/State	:	Shri Aditya Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****10.01.2018**

Heard.

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. 30 of 2017, registered at Police Station Urla, District Raipur, Chhattisgarh for the offence punishable under Sections 341, 354, 354(A) and 506/ 34 of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act, 2012
2. Learned counsel for the applicant submits that the applicant is in jail since 9.8.2017 and he has been falsely implicated in this case. His name does not reflect in the FIR lodged by the victim in this case and further the victim has been examined by the trial Court in which she has not named the applicant as one of the accused person having obstructed on her path and molested her. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. The prosecution case in brief is that on the date of incident the minor victim girl aged 17 years was obstructed on her path and after threatening her co-accused persons - Rahul, Suraj and others by using force on her and thereby outraged her modesty.
6. Considering the submissions and the contents of the case-diary, after overall consideration, I am of the considered opinion that the applicant deserves to be released on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the 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