

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 7598 OF 2018

Santosh Kumar Sahu S/o late Brijlal Sahu, aged about 24 years, R/o Village Mohandi, Police Station Magarlod, District Dhamtari (CG).

... Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station Magarlod, District Dhamtari (CG).

... Respondent

For Applicant	:	Shri Anil Gulati, Advocate.
For Respondent-State	:	Shri DK Wankhede, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

29/10/2018

1. This is first bail application seeking grant of bail to the Applicant who is in jail since 18.07.2018 in connection with Crime No.149 of 2018 registered at Police Station Magarlod, Distt. Dhamtari for the offence punishable under Sections 354,506,323 IPC and Section 8 of the POCSO Act.
2. As per prosecution case, the applicant on 05.07.2018 is said to have caught hold of the hand of the victim and is said to have tried to outrage her modesty knowing fully well that the victim was a minor.
3. Learned Counsel for the applicant submits that the applicant has already undergone custody of more than three months and that the applicant himself is a young boy of 24 years and therefore he may be released on bail.
4. The State counsel on the contrary opposing the application submits that the present applicant had constantly harassing the victim since

long and have been continuously proposing expressing his feelings to her and therefore he does not deserve for bail.

5. Without commenting on merits, considering the totality of the facts and circumstances of the case particularly taking note of the statement of the victim; the age of the applicant and also the period of custody undergone by him, this Court is of the opinion that the present is a fit case where the Applicant can be enlarged on bail.
6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge