

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6976 of 2017**

Ravi Mandavi S/o Ramkewal Mandavi Aged About 23 Years Caste Gond R/o Village Mohla, Police Station Mohla, Civil And Revenue District Rajnandgaon Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station Basantpur Civil And Revenue District Rajnandgaon Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Punit Ruparel, Advocate.
For the Respondent/State	:	Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****12.01.2018**

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.376 of 2017, registered at Police Station – Basantpur, District – Rajnandgaon, Chhattisgarh for the offence punishable under Sections 452 and 354 of the Indian Penal Code and Sections 4 and 8 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 30.10.2017 and he has been falsely implicated in this case on account of some dispute with the father of the minor victim. As per the allegations of the prosecution case, no case is made out against the applicant. The case has been investigated and the charge-sheet has been filed against him. The

applicant is ready to abide by all the conditions imposed on him. 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. It is submitted that the age of the victim on the date of incident was about 10 years and the offences registered against the applicant and the allegations made are of serious nature. Hence, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. As alleged on the date of incident, the applicant made the victim sit on his lap and then he touched her arms with hands. The prosecutrix narrated this incident to her father against the applicant.

6. Considering the submissions and the contents of the case diary as the charge-sheet has already been filed and the trial of the case is likely to take sometime for its conclusion, I am of the considered view that no purpose would be served if the applicant is kept in detention for the whole period of trial. Hence, this application deserves to be allowed.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that 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