

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7818 of 2018

Kamal Sao, S/o. Late Radhelal Sao, Aged About 32 Years, R/o. Village-Bade Padali, Police Station- Baradwar, District- Janjgir- Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Arakshi Centre, Chowki- Jutemill, District- Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Krishna Tandon, Advocate

For Respondent : Mr. D.R.Minj, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.10.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.1267/2018 registered at Police Chowki- Jutemill, District Raigarh (C.G.) for the offence punishable under Section 354 & 354(a) of Indian Penal Code and Section 8 of Protection of Children from Sexual Offences Act.
2. As per the prosecution case, a report was made by the complainant on 26.09.2018 that the present applicant who is brother-in-law caught hold of her and dragged to a room and thereafter kissed her and put vermilion on her forehead and tried to outrage her modesty.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated due to some previous dispute, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the victim. Considering the degree of allegation and the fact that the applicant is in jail since 26.09.2018, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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/-
(Goutam Bhaduri)
Judge