

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8238 of 2018

- Bodhlal S/o Shri Lallu Prasad, Aged About 25 Years R/o Babuapara, Post Behandarwala, District Hardoyee (Up), Presently Resided At House Of Owner Of Gandhi Paan, Darrapara, P.S. Patthalgaon, District Jashpur Chhattisgarh, District : Jashpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Patthalgaon, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---Respondent

 For Applicant : Shri P.K. Patel, Advocate
 For Respondent/State : Shri Vivek Sharma, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

31.10.2018

1. Heard the matter finally.
2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.216/2018, registered at Police Station, Paththalgaon, District Jashpur (CG) for the offence punishable under Sections 354 of the IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
3. As per the case of prosecution, the applicant had taken the prosecutrix behind Manoj Kirana Stores and by pressing her chest outraged her modesty and used obscene words against her.
4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime. He submits

that the applicant is in jail since 10.9.2018 and trial may take some time, therefore, pre-trial detention of the applicant is not required. He prays for releasing the applicant on bail.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Perused the entire material available on record.

7. Considering the facts and circumstances of the case and the fact that the applicant is in jail since 10.9.2018 and trial will take some time without further commenting on merits, I am inclined to release the applicant on bail.

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

9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.20,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.

10. Certified copy as per rules.

Sd/

(Ram Prasanna Sharma)
JUDGE