

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8582 of 2018

Ravishankar @ Chhotu Sahu, S/o. Shri Purushottam Sahu, Aged about 21 years, R/o. Village Darra, police Out post, Giroudpuri, Thana Gidhour, Tundra, Civil and Revenue District Balodabajar- Bhatapara (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Outpost Giroudpuri, Thana Gidhour Tundra, Civil and Revenue District Balodabajar- Bhatapara (C.G.)

---- Respondent

For Applicant : Mr. Sumit Shrivastava, Advocate
For Respondent : Mr. Gary Mukhopadhyay, Govt. Advocate

Hon'ble Shri Justice Vimla Singh Kapoor.

Order On Board

19/11/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of bail to the applicant who has been arrested in connection with Crime No. 200/2018 registered at Police Outpost Giroudpuri, District Baloda-Bazar, Bhatapara (C.G.) for the offence punishable under Sections 354/34 IPC and Section 12 Protection of Childrens from Sexual Offences Act, 2012.
2. As per prosecution case, on 25.09.2018 when the prosecutrix was going to her school on bicycle, the accused persons along with the present applicant reached there, stopped her bicycle and passed on some obscene remarks at her.
3. Learned counsel for the applicant submits that the present applicant has not committed any offence and has been falsely implicated in the

case, he was only present on the spot. He submits that the main accused in this case is Rohit Yadav and he has already been granted by this Court vide order dated 31.10.2018 in MCRC No. 8261 of 2018 and the applicant is in jail since 09.10.2018, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of the case and the fact the main accused is granted bail by this Court vide order dated 31.10.2018 in MCRC No. 8261 of 2018 and further taking into the fact that the applicant is in jail since 09.10.2018, 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 his 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/-
(Vimla Singh Kapoor)
Judge

Santosh