

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 347 of 2019

Ravi Kumar Rathore, S/o Shri Firant Lal Rathore, Aged About 61 Years, R/o Village Faraswani, P. S. Urga, District Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through S. H. O. P. S. Nagarda, District Janjgir Champa, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Ravindra Sharma, Advocate.
For Respondent/State	: Mrs. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

06/03/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 1/2019, registered at Police Station – Nagarda, District- Janjgir, Champa (C.G.) for the offence punishable under Section 354 of the IPC and Section 3 (2-5) of SC/ST (Prevention of Atrocities) Act, 1989.
2. In this case, prosecutrix is a girl aged about 19 years, she is studying at Government High School, Nagarda in Class 12th. The Applicant was posted as a lecturer in the said school. On 01/01/2019 prosecutrix made a complaint against the Applicant, wherein, it has been alleged that prior to 24/09/2018, the Applicant used to give flying kiss gesture to the prosecutrix and also on 24/09/2018, he caught hold her hand to outrage her modesty. On the basis of said complaint, offence has been registered against the applicant and he has been arrested on 02/01/2019.
3. Learned counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated in the present case due to some previous enmity with the father of the prosecutrix. He further submits that allegedly, the incident has taken place on 24/09/2018 and FIR has been lodged on 01/01/2019, in this regard, delay was not properly explained by the prosecution. Learned Counsel further submits that the Applicant is a Lecturer and he is aged about 61 years, he is in custody since 02/01/2019, charge sheet has already been filed and trial will take some time. Therefore, the Applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of the state opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant is in custody since 02/01/2019, charge sheet has already been filed and trial will take some time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge