

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 734 of 2019

- Dadu Lal Sahu S/o Shri Kejram Sahu Aged About 52 Years R/o Village Sasha ,police Station Pallari ,district Baloda Bazar Bhatapara Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer ,police Station Pallari, District Baloda Bazar Bhatapara Chhattisgarh

---- Respondent

For Applicant : Shri Dashrath Kushwaha, Advocate

For Respondent/State : Shri R.K. Bhagat, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25/02/2019

1. This is the Second 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.112/2018 registered at Police Station Pallari, Distt. Baloda Bazar-Bhatapara (CG) for the offence punishable under Section 376 IPC and Section 4 of the Protection of Children from the Sexual Offences Act, 2012.
2. The First bail application bearing M.Cr.C. No.2863 of 2018 was dismissed as withdrawn on 28.05.2018 with liberty to repeat after the material witnesses are examined.
3. As per the prosecution case, on 14.02.2018 the applicant has sexually

assaulted a minor girl of aged about 5 years. As such the offence has been committed.

4. Learned counsel for the applicant submits that the material witnesses in this case have been examined and the applicant is in jail since 15.02.2018, therefore, he may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Perused the statement of Kumari Bai (PW-1), who is the mother of the victim, considering the same without any observation on merits, I am not inclined to release the applicant on bail. Accordingly, the bail application is dismissed.

Sd/-

Goutam Bhaduri
Judge

Ashu