

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6005 of 2019

- Barat Ram Nayak S/o Khem Lal Nayak Aged About 40 Years Caste Aghariya, At Present R/o Adarsh Nagar, Police Station And Tahsil Sitapur, District Surguja Chhattisgarh. Permanent R/o Village Pevara, Police Station Sariya, Tahsil Sarangarh, District Raigarh Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Ajak Ambikapur, District Surguja Chhattisgarh.

---- Respondent

For Applicant	: Shri Raghavendra Pradhan, Advocate
For Respondent/State	: Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

21/11/2019

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.187/2018 registered at police station AJAK, Ambikapur, District Surguja(CG) for the offence punishable under Sections 354 IPC and Section 9-F and 10 of Protection of Children from Sexual Offences Act and Section 3(2)(v-A) of the SC/ST (Prevention of Atrocities) Act.

Case of the prosecution in brief is that a report was lodged by the complainant that the applicant has made an attempt to sexually assault the girls of Middle School, Radhapur.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime. He submits that the applicant is in jail since 21.08.19; the charge sheet has been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge