

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No.979 of 2020**

Kishan Das Manikpuri S/o Suklal Das Manikpur Aged About 24 Years R/o  
House No. 8, Atal Aawas Shivaji Nagar Khursipar Durg, District Durg  
Chhattisgarh **---- Applicant**

**Versus**

State Of Chhattisgarh Through Police Station Khursipar Durg District - Durg  
Chhattisgarh **---- Respondent**

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| For Applicant        | : | Shri Arvind Kumar Dubey, Advocate |
| For Respondent/State | : | Shri Alok Bakshi, Additional A.G. |

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**S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**18/03/2020**

Heard.

1. The applicant has been arrested in connection with Crime No.394 of 2019 registered at Police Station- Khursipar, District Durg (CG) for the alleged commission of offence under Section 452, 354, 506, 323, 294, 34 of IPC and Section 8 of the Protection of Children from Sexual Offences Act.
2. Case of the prosecution is that the applicant entered the house of the prosecutrix and it is alleged that she was assaulted and modesty was outraged. The prosecutrix stated to be minor in age.
3. Learned counsel for the applicant would submit that the allegations leveled against him are false and fabricated and a trivial incident of dispute has been unnecessarily exaggerated. He would further submit that investigation is complete and charge-sheet has been filed and there is no material to show that the applicant is likely to abscond or tamper with the prosecution witnesses, therefore, he may be granted bail.
4. On the other hand, learned State counsel opposes the bail application and submits that looking to the nature and gravity of allegation and that the prosecutrix is a minor, the application for grant of bail may be rejected.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the nature and gravity of allegation and that the investigation is complete and charge-sheet has been filed and there is no material to show that the applicant is likely to abscond or tamper with the prosecution witnesses, the application is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
  - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
  - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

**Sd/-**  
**(Manindra Mohan Shrivastava)**  
Judge