

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 1485 of 2020**

Jaysingh Gautam @ Daddu S/o Jogi Singh Gautam, Aged about 30 years, R/o Motipur Ramnagar, Street of Hanuman Temple, Behind Kabristan, Rajnandgaon, Distt. Rajnandgaon, Chhattisgarh.

---Applicant

Versus

State Of Chhattisgarh Through Police Station-Kotwali, District Rajnandgaon, Chhattisgarh.

--- Non-applicant/State

For Applicant :- Mr. Samir Singh, Advocate
 For State :- Mr. Gagan Tiwai, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

13/05/2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 745/2019, registered at Police Station – Kotwali, District Rajnandgaon (CG), for the offence punishable under Section 354 (B) of the Indian Penal Code and Section 9(m) along with Section 10 of the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that applicant outraged the modesty of the minor complainant and thereby, committed the offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in the crime in question. He would further submit that the applicant is in jail since 18/12/2019.
4. On the other hand, learned counsel for the State would oppose the bail application and submit that the complainant is a minor aged about 5 years only.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, material available on record and considering the fact that the complainant is only five years of age, I am not inclined to grant bail to the present applicant.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge