

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3591 of 2020**

Ratnesh Verma S/o Tukaram Verma Aged About 30 Years R/o Village Katalwahi, Police Station Chhuikhadan, District Rajnandgaon Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Of Police Station Chhuikhadan, District Rajnandgaon Chhattisgarh.

---- Respondent

For the Applicant : Shri C.K. Kesharwani, Advocate.
For the Respondent/State : Shri Ravi Bhagat, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****18.06.2020**

Learned counsel for the applicant submits that the default pointed out by the Registry has been cured. Registry to verify the same. It is further submitted that the case-diary is available and both the counsels agree that this matter be heard finally.

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.335 of 2019, registered at Police Station – Chhuikhadan, District – Rajnandgaon, Chhattisgarh for the offence punishable under Sections 354, 354(A)(1)(i) and 354(A)(1)(ii) of the Indian Penal Code and Sections 7 and 8 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 16.5.2019 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. A certificate has been produced alongwith the application in which it is certified that the applicant is of unsound mind (idiot). The applicant has not committed any offence as registered against him. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that looking to the allegation against the applicant, no case is made out for grant of regular bail to him.

4. Heard counsel for both the parties and perused the case diary.

5. As per the prosecution case, the minor prosecutrix was on her way when one unknown person came from behind and caught hold of her and then physically molested and outraged her modesty regarding which, the FIR has been lodged.

6. Presently, the charge-sheet has been filed before the Court and the case is pending for trial. Therefore, I am of the considered view that this is a fit case for grant of regular bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C.

is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge