

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2560 of 2020

- Shivshankar @ Buddhu, S/o Bhukhman, Aged About 28 Years R/o Baikunthpur Junapara, Police Station - Tirkunda, (Wrongly Mentioned As Trikunda In Order Sheet Of The Learned Court Below) District Balrampur Ramanujganj Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through - The Station House Officer, Police Station Tirkunda, District Balrampur - Ramanujganj Chhattisgarh.

---- Respondent

For Applicant	:	Shri Hari Om Rai, Advocate
For Respondent/State	:	Shri Sudeep Agrawal, Dy. AG

Hon'ble Smt. Justice Rajani Dubey

Order On Board

13/05/2020

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. 11/2020 registered at police station Tirkunda, Balrampur, district Ramanujganj (CG) for the offence punishable under Sections 456 and 354 IPC and Section 8 of the Protection of Children from Sexual Offences Act.

As per prosecution case, on 31.12.2019, applicant along with the co-accused went to the house of complainant and demanded liquor from her and when she denied, the co-accused caught hold of her hand tried to outrage her modesty. It is further alleged that when

she cried for help, her other came and abused them and they ran away from the spot.

Counsel for the applicant submits that the applicant has been falsely implicated. He submits that the applicant is in jail since 13.03.2020; 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.

Taking into consideration the submissions of the counsel for the parties and nature of offence, I am inclined to enlarge 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 local surety for the like sum to the satisfaction of the concerned Court on the condition that he shall appear before the trial court regularly on each and every date of hearing unless and until exempted, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge